

# ARMY



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## POINTS ABOUT PAY.

THE admirable Paris correspondent of the New York *Times* in a late letter speaks of the augmented pay of the French Army, and, by way of commentary, adds, "your officers will laugh at the pay of French 'officers.'" On looking a little closer into the fact, however, we see nothing in particular to laugh at; for, instead of our officers receiving so much larger a yearly stipend than the French, it appears that the advantage, if there be one, is with the latter. On this point, therefore, we must disagree with a writer always able and interesting.

Let us see. Captains of the first class in the *Etat-Major* will have 3,000 francs a year, say \$600; those of the second class 2,600 francs, or \$520; first lieutenants 2,100 francs, or \$420; other lieutenants 1,700 francs, \$340. In the infantry, captains have respectively 2,700 and 2,400 francs—\$540 and \$480; lieutenants have 1,900 and 1,800 francs—\$380 and \$360. Now, if this be the "pay proper," as we suppose, as distinguished from the "pay and emoluments," i. e., with commutation of rations, servant's pay, etc., our own service is not much more lucrative. In the engineers and ordnance, and the cavalry, a captain's pay proper is \$70 per month, or \$840 per year, and any lieutenant or brevet lieutenant's \$53 3 $\frac{1}{2}$  per month, or \$640 per year. In the infantry and heavy artillery, a captain's pay proper is \$60 per month or \$720 per year; a first lieutenant's \$50 per month, or \$600 per year; a second lieutenant's \$45 per month, or \$540 per year.

Taking, therefore, the infantry for comparison, we find a French captain receiving \$540 to the American's \$720. Now, \$720 in greenbacks is just about what \$540 in gold represents now, and as much as it is likely to for some time to come. Some of our officers have seen \$540 in gold represent about \$1,200 in greenbacks; but that, let us hope, is forever past. But the great difference is in the greater proportional increase of all other articles of value over that of gold itself. Hence clothing, equipments, weapons, food and all other necessaries to the service are nearly or quite double their former price, and probably treble the price of the same in France. The same is true also of such luxuries as the line officers can afford. The revenue exacted from all articles (and, by the way, from officers' salaries too), has made what was formerly moderate pay now a mere bagatelle. The "total pay and emoluments" averages, for line officers, somewhere about double the pay proper. Considering the high prices of necessary articles, some of our officers would be disposed to count themselves no better off pecuniarily than the French officers, even if the figures above given did embrace the total pay and commutations of the latter. We need not say that; but should these figures represent the pay proper, the advantage is clearly with the French for the present. We would not say, however, in either case, that the one class "save more" than the other, as on that ground, they are both always, no doubt, precisely equal.

The point, however, to which we wished to call special attention was one of proportion, which is often more truthfully suggestive than any absolute figures, when applied to different countries and rates of living. The French common soldier, we are told, by the writer we quote, gets "four sous a day, or "about \$14 a year." Now, our private gets \$16 a month or \$192 a year. Hence (not allowing for the different value of the national currencies) he gets about fourteen times as much pay as the French soldier! It is needless to add that the American officer does *not* get fourteen times as much pay as the French, nor can he possibly get over three times as much. The pay of the common soldier is supposed sufficient in France, and with that as a unit, the pay of the officers is multiplied therefrom. Now, if anything approaching a similar ratio, or half that ratio of increase, were adopted in our country, there would be no more complaint of insufficient pay. This last hypothesis we do not project as a practical basis on which to proceed, but only by way of suggestion that the parallelism between the pay of our officers and those in the French service will not hold, without many unsuspected abatements. It is these latter which make comparisons, as Mrs. Malaprop says, "odorous."

THE honor of effectually catching and keeping the conspirator Surratt, evidently belongs to our Consul-General of Egypt, Mr. CHARLES HALE; though the vigorous steps taken by Mr. KING, our Minister at Rome, are not less praiseworthy, and without them the culprit could not have been caught. Had Surratt escaped from Alexandria, doubtless we should never have had another chance for his capture.

We note, by the way, that some inquiry has been made as to the amount of reward to which the person apprehending Surratt is entitled. We believe, however, no pecuniary reward for this service is due and recoverable. This is because a year ago and more, namely, on the 24th of November, 1865, a General Order was issued from the Adjutant-General's Office, by command of the PRESIDENT, revoking the reward before ordered for Surratt's arrest. The part of the Order to which we refer runs thus:

Second, The rewards offered for the arrest of JACOB THOMPSON, BEVERLY TUCKER, GEORGE N. SANDERS, WILLIAM G. CLEARY, and JOHN H. SUMMERS are untouched.

JOHN H. Surratt, are revoked.  
By order of the PRESIDENT of the United States.  
It is noticeable, also, that at the time of the issue  
of this order, the Government had positive informa-  
tion of Surratt's escape to Europe, but had lost  
track of him after his leaving Liverpool. However,  
STE. MARIE, who detected Surratt among the Papal  
Zouaves, and informed Minister KING of the fact,  
has very properly been paid a certain sum by the De-  
partment of State for his services.

It was, as usual, the British who threw the greatest obstacles in the way of our arresting the jail-bird. When the *Tripoli*, on which Surratt was a passenger from Naples to Alexandria, coaled at Malta, our Consul there, Mr. WINTHROP, called on the Governor for aid in arresting the criminal. The Governor, however, began with an argument, amusing had it not been provoking, to show why he could not do so. He believed "a conspiracy to commit murder is not among the offences included in 6 and 7 of Victoria, chapter 76, unless murder was intended or an assault was committed with intent to do murder, or it was actually perpetrated, so as to make the person responsible for these crimes. Besides, there was no evidence to show that the suspected person was actually JOHN H. SURRETT." In fine, after

arguing a while, the Governor resorted to the police, and informed Mr. WINTHROP that "no such man" as SURRATT was on board the *Tripoli*. Leaving this stupid official, Mr. WINTHROP telegraphed to Alexandria, and there, accordingly, the arrest was easily made. On the 8th, the *Swatara* (as Admiral Goldsborough telegraphs) left the European Squadron with SURRATT on board. She will reach our shores the last of January. It is well understood that STE. MARIE is also on the *Swatara*, and soon accuser and accused will confront each other at the tribunal of justice, and another part of the assassination conspiracy will be disclosed.

ELSEWHERE we print in full the authoritative text of the new Militia bill which General H. E. Paine has introduced into Congress. The document is one of striking importance, and, should it become a law, will work a great change in our National policy. Our object in its presentation is to elicit the remarks and criticisms of readers. The author of the bill is equally anxious that it may receive full discussion, and for this purpose copies will soon be sent to all the governors, adjutant-generals, military committees and the highest Militia officers of the various States. To discuss the bill in full at present would be a little premature, as there is not much probability of its being forced to immediate passage. The failure of the Militia bill of the last session also somewhat clouds the prospects of this. We hope, however, the measure will receive full consideration. By reference to former numbers of the JOURNAL, our readers may institute a comparison between the bill of the last session and the one now proposed by General Paine. With the exception of very few States, such as New York, nearly all parts of the country suffer from the want of a good Militia system. What is worse, a general apathy is felt on the subject. It is manifestly, therefore, the duty of Congress to review the whole matter, more especially as most of the States seem unwilling to provide for themselves. In our Militia column, an account is given of the lamentable condition of the Militia in Pennsylvania. Many other States could show no better record.

We have received, although too late to print in its proper place this week, a notice of the marriage of Brevet Brigadier-General ADAM E. KING, late Assistant Adjutant-General U. S. V., on the staff of Major-General HANCOCK, to the only daughter of Commodore PURVIANCE, U. S. Navy. General KING was an excellent adjutant-general, and served with distinction in the Sixth Corps, being severely wounded when serving on the staff of General RICKETTS, at the battle of the Monocacy. General KING is well known throughout the Army, where he is deservedly popular. We wish the general every happiness in his new relations, and a long life of plenty and prosperity.

*The American Journal of Horticulture and Florist's Companion* is the name of a new monthly magazine devoted to the specialty its name describes. It is beautifully printed and illustrated, and comprises among its contributors the best writers on horticulture in the country. The publishers are Messrs. J. E. Tilton & Co., of Boston. This house has made a specialty of this department of literature, and they have succeeded in making it very attractive to all who love gardens and flowers. The price of the magazine is \$3 a year.

THE General Court-martial, which convened at Little Rock, Arkansas, and of which Colonel C. H. Smith, Twenty-eighth U. S. Infantry, was president, has been dissolved, by order of Brevet Major-General Ord.

## THE ARMY.

The Editor would be pleased to receive for this Department of the JOURNAL all facts in relation to regiments, or detachments of regiments, and all items of Army information of general interest.

GENERAL Orders No. 15 from Headquarters Department of the East, publishes the proceedings of a General Court-martial which assembled in the City of New York, in the case of Brevet Major Wm. D. FULLER, First Lieutenant Third U. S. Artillery. The first charge preferred against Major FULLER was "mutinous conduct, to the prejudice of good order and military discipline." The first specification under this charge sets forth that when Lieutenant WATSON WEBB, Adjutant Third U. S. Artillery, was executing an order of his commanding officer, in the quarters of Major FULLER, the major ordered the adjutant out of his room, and did call to an officer in said room (Major FULLER then being in bed) to hand him his pistol, and did further threaten to shoot Lieutenant WATSON WEBB. All this at Fort Adams, R. I., in Nov. 1866. Specifications second and third allege similar offences. The second charge against Major FULLER is "Violation of the Ninth Article of War," the specification alleging that he did lift up a weapon against his superior officer. The court found the accused "guilty" of the first specification of the first charge and of a portion of the second and third specifications, and not guilty of the second charge and specification. The sentence by the court was "To be suspended from rank and pay proper, for the period of six months, and to be reprimanded in orders by the general commanding the department, and to be confined to the limits of the post where his company may be stationed during the period of his suspension."

General MEADE makes the following remarks upon the case:

In the case of Brevet Major WILLIAM D. FULLER, Third U. S. Artillery, the proceedings, findings and sentence are approved, but in view of the fact that Brevet Major FULLER (prior to his trial) has already been severely punished, by being placed in close confinement on the presumptive evidence that he was guilty of the "mutinous conduct," of which he is now acquitted, so much of the sentence as requires "suspension from rank and pay proper for six months," is remitted. The reprimand which the sentence calls for, Brevet Major FULLER justly deserves. No officer should permit his personal relations with others to affect his official intercourse, and if Brevet Major FULLER had no criminal intention, as the court finds, in calling for his pistol, and making a display of it at a mess-table, this act itself was puerile and unbecoming, and is in the highest degree deserving censure.

BREVET Major-General S. P. HEINTZELMAN, Colonel Seventeenth U. S. Infantry, was recently served with a *capias* by order of the Sheriff of Guadalupe County, Texas. It appears that the General is charged with certain breaches of the laws of Texas committed by officers acting under his orders. The following is the General's reply to the service:

GALVESTON, December 26, 1866.  
Judge J. D. Baldwin, United States District Attorney, Houston, Texas:  
MY DEAR SIR:—A few days since I was served with a *capias* from Seguin, Guadalupe County, Texas, by Judge IRELAND, notoriously disloyal. I replied by furnishing the orders under which I acted, and the letter of my adjutant-general, enclosing it to the agent of the Freedmen's Bureau at Seguin. He has been indicted for theft, for acts committed by another under that order. Neither he nor I went to Seguin. The present disturbed condition of the country will not admit of my leaving my post. I would not deem my life safe in the hands of the legal authorities, as I know two individuals were recently taken from the jail in Belton, Bell county, Texas, by a mob, and put to death. There is a strong feeling against all officers who have been in any way instrumental in sustaining the United States laws, particularly those connected with the Freedmen's Bureau. The evident object of the process is to annoy and oppress me for performing my duty, and through me to throw discredit upon the United States authorities in this State. I remain, truly yours,

S. P. HEINTZELMAN, Brevet Major-General.

The position of General HEINTZELMAN was sustained by Judge BALDWIN, who gave an elaborate opinion, quoting Chief Justice TANEY, in the case of ABLEMAN vs. BOOTH, reported in 20 HOWARD, page 253, who said the State authorities could never have attempted so grave an offence against the majesty of the laws of the United States as to have imprisoned an officer and attempted the imprisonment of others while in the discharge of sworn and imperative national and official duties. No State judge or court, after they are officially informed that the party is imprisoned under the authority of the United States, has any right to interfere with him, or to require him to be brought before them; and if the authority of a State, in the form of judicial process or otherwise, should attempt to control the marshal or other authorized officer or agent of the United States in any respect in the custody of the prisoner it would be his duty to resist it, and to call to his aid any force that might be necessary to maintain the authority of law against illegal interference.

SECOND Lieutenant JAMES D. VERNAY, Seventeenth U. S. Infantry, has been tried before a General Court-martial, which convened in New York City, of which Brevet Brigadier-General G. LOOMIS, Colonel U. S. Army, was Presi-

dent, and Brevet Lieutenant-Colonel L. LANGDON, Captain First U. S. Artillery, Judge-Advocate. Lieutenant VERNAY was found guilty of "absence without leave," and sentenced "To be suspended from rank and pay proper for the period of six months." Lieutenant VERNAY was subsequently tried, charged with "disobedience of orders" and "violation of the Fourteenth Article of War," but was acquitted of these charges.

Major General MEADE, commanding the Department of the East, makes the following remarks upon this case:

In the case of Lieutenant JAMES D. VERNAY, Seventeenth U. S. Infantry, the proceedings, findings and sentence are approved. But in consideration of the fact, that in his second trial, Lieutenant VERNAY produced an order that authorized his absence until September 12th, and which order he was unable to procure for his first trial, his sentence is commuted to a forfeiture of pay proper for the period of three months. Lieutenant VERNAY will immediately proceed to join his company and regiment.

LIEUTENANT-GENERAL SHERMAN, commanding Military Division of the Missouri, on December 28th, issued the following order announcing the death of Brevet Colonel SAWYER:

The Lieutenant-General commanding announces to his command the sudden and untimely death of Brevet Colonel ROSWELL M. SAWYER, of his staff, which occurred at this city (St. Louis, Mo.) on the 26th inst. Colonel SAWYER was one of that noble body of young men who, on the breaking out of the Rebellion, left home and family to serve their country, without asking personal honors or rank. He began his career as a soldier, as a private in the old First Wisconsin Infantry, but soon earned a commission in the line, whence he was early transferred to the Adjutant-General's Department, by reason of his marked intelligence and fine education. He rose from grade to grade till, during the Vicksburg campaign, he became the Adjutant-General of the Fifteenth Corps. In that capacity he served, with marked distinction, till, in succession, he filled the same post to the Army of the Tennessee, and lastly to the Military Division of the Mississippi, which he occupied until the war was over, and the Regular Army was re-organized, when he was examined for appointment, and received the commission of captain of the Twenty-fifth Infantry, the post he held at the time of his death, though still retained on the staff of the Lieutenant General commanding. Of singular modesty and refinement, he ever won the esteem and affection of those who were brought in contact with him, and has now left us with a name second to none of that grand army, whose deeds constitute so large a part of our national history. The Lieutenant-General requests his brother officers to wear the usual badge of mourning in token of their love and affection for the departed; and he feels assured that the thousands of citizens who were recently soldiers of the Army of the Tennessee, will unite with him in mourning the early death of so true and accomplished an officer and personal friend.

BREVET Major-General ORB, Commanding Department of the Arkansas, makes the following remarks upon the case:

Proceedings, findings and sentence are approved. It being, however, the opinion of the Judge-Advocate-General of the Army that the execution of sentences of marking for desertion is against public policy, that portion of the sentence which directs that he, Private WILLIAM J. GLANDING, of Company H, Second Battalion, Nineteenth U. S. Infantry, "be indelibly marked on the left hip with the letter D, one and a half inches long," is remitted. The sentence, as modified, will be duly executed. It is suggested that courts-martial substitute some other punishment for desertion, in lieu of marking, previous to discharge. The sentence in this case (dishonorable discharge), after the marking is remitted, is no punishment to a man who is already so destitute of honor as to desert, and he obtains release from the service, just what he desired. It is recommended that courts inflict some severe punishment for desertion, to be executed at the post, in lieu of marking—such as shaving the head, hanging placards on the back and in that condition parading them around the garrison daily to appropriate military music, for a specified time, previous to dishonorable discharge.

THE remains of Lieutenant WILSON, Sixth U. S. Cavalry, son of Senator WILSON, arrived from Austin, Texas, in charge of Colonel J. B. JOHNSON and Surgeon KIRKHAM, on the 5th inst. The Secretary of War detailed Brevet Colonel H. C. WOOD, A. A. G. U. S. A., and Brevet Colonel N. B. SWETZER, Major Fifth U. S. Cavalry, to accompany the remains to Natick, Mass., where they were interred on Wednesday. A company of the Third U. S. Artillery from Boston Harbor escorted them to the grave. Senator WILSON has received the following letter from Brevet Brigadier-General S. D. STURGIS, Lieutenant-Colonel Sixth U. S. Cavalry, dated Austin, Texas, Dec. 24, 1866:

DEAR SIR:—It has become my melancholy and painful duty to convey to you the sad intelligence of the death of your son, Lieutenant H. H. WILSON, of the Sixth U. S. Cavalry, who expired at 10 o'clock, A. M., to-day.

So sudden and so unexpected was his death that its announcement has fallen like a pall upon his brother officers, all of whom had learned to love him for his many manly qualities, and our entire camp to-day is a camp of mourning. The medical gentlemen differ somewhat as to the immediate cause of his death; the majority, however, I believe, are of opinion that it was congestion of the stomach. With a view to ascertaining this point definitely they were desirous to have a *post mortem* examination, but fearing that this might not meet with your approval I directed that the examination should not be made, and that the body be embalmed.

The remains will therefore be embalmed and placed in

a zinc coffin (metallic ones cannot be procured here), so that they may be transported should you desire to have them removed. The funeral will take place on the 26th at 11 o'clock, A. M.

It may afford you some little consolation, in this hour of your great affliction, to know that nothing was left undone that human skill could suggest both to save him to his friends and to alleviate his last moments.

Believe me, dear sir, that in tendering to yourself and your afflicted family my heartfelt sympathy, I am earnestly joined by every officer and soldier of my command.

A GENERAL Court-martial was ordered to convene at the Post of Shreveport, La., at 10 o'clock A. M., on Thursday, the 3d day of January, or as soon thereafter as practicable, for the trial of such persons as may properly be brought before it. Detail for the court: Major and Brevet Colonel Chas. W. LOWELL, Eightieth U. S. Colored Infantry; Captain and Brevet Major A. V. LOWELL, Eightieth U. S. Colored Infantry; First Lieutenant and Brevet Captain Biddle BOGGS, Eightieth U. S. Colored Infantry; First Lieutenant Chandler ROBBINS, Jr., Eightieth U. S. Colored Infantry; First Lieutenant Frank A. HAM, Eightieth U. S. Colored Infantry; First Lieutenant and Brevet Captain James GATLIN, Eightieth U. S. Colored Infantry; Second Lieutenant and Brevet Captain A. A. ARNOLD, Eightieth U. S. Colored Infantry. Captain and Brevet Major Louis E. GRANGER, Eightieth U. S. Colored Infantry, Judge-Advocate.

MAJOR-GENERAL SHERIDAN, commanding Department of the Gulf, on the 28th of December issued the following order:

The cholera having so far subsided as to leave no reasonable fear of its becoming epidemic, there is no longer any necessity for continuing the Sedgwick General Hospital as such. It will therefore be discontinued as a General Hospital from the 31st inst. The Medical Director of the Department will designate such of the wards and buildings as may be necessary to be organized and used as a Post Hospital, which may also be used, if needed, for the reception of patients from the city, or from other commands in the immediate vicinity. As much of the remainder of the hospital wards and buildings as may be necessary for that purpose will be used as quarters for the Thirty-ninth Infantry, now in camp near it.

AN Oregon paper gives the details of the running off of a pack train by the Indians from near Camp Watson, and their pursuit by Brevet Lieutenant-Colonel BAKER's (First U. S. Cavalry) command. When about twenty miles from the post the troops came up with the Indians and charged on their camp. The Indians stood their ground, but during a snow storm their rifles had become damp and snapped. The soldiers, observing the state of affairs, drew their sabres and cut the savages down, killing 14 men and capturing 5 women and all the stolen mules, together with 10 horses. A great amount of supplies were destroyed. It is considered one of the most complete victories ever gained over the Snake Indians.

IT is believed that mail communication between Fort Wadsworth, D. T., and Fort Rice, D. T. (on the Missouri River), will be kept open during the present Winter. A negro express rider promises to make two trips per month between these two posts, and keep it up all Winter. An effort was made in the Fall to employ Indians to carry the mail, but owing to the hostility existing between the Missouri Sioux and those living in the region of Wadsworth it was found to be impracticable, and the idea was for a time abandoned. Letters intended for Fort Rice, or the posts in that portion of the country, should be sent via Fort Wadsworth, D. T.

A GENERAL Court-martial, which recently convened at Little Rock, Arkansas, sentenced an enlisted man of the Nineteenth U. S. Infantry, who was convicted of desertion, "to forfeit to the United States all pay and allowances due, or to become due, except the just dues of the laundress and sutler, to be indelibly marked on the left hip with the letter D, one and a half inches long, to be dishonorably discharged and drummed out of service."

THE Headquarters of the Forty-first U. S. Infantry will be established at Baton Rouge, La. Major G. W. SCHOFIELD, Forty-first U. S. Infantry, has been directed to proceed without delay to that point and assume command and superintend the recruiting of his regiment.

THE companies of the Fourteenth, Twenty-third, and Thirty-second U. S. Infantry, which have recently arrived in California, have been assigned to the duty of guarding the U. S. mail routes in Northern Arizona. They were expected to start for their respective destinations on the 15th inst.

THE Fortieth U. S. Infantry, Colonel MILLS, is being rapidly recruited, about 700 men having already been enlisted. Recruiting offices have been opened in several of the principal cities North and South, and it is thought its complement will soon be filled.

THE Second Comptroller, after consulting with the Secretary of War, and with his approval, has decided that a soldier, by the act of desertion, forfeited all claim to bounty that has already or may become due.

## NATIONAL MILITIA BILL.

GENERAL H. E. Paine on the 3d inst. introduced the following bill in the House of Representatives providing for a National Militia, which was read twice and then referred to the Committee on the Militia:

A Bill to provide for organizing, arming, and disciplining the Militia, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all able-bodied male persons who shall have been born or naturalized in the United States, or shall have declared, according to law, their intention to become citizens thereof, or shall have actually voted at any State, Territorial, county, or municipal election therein, and shall be residents of any of the States or Territories thereof, and not less than eighteen nor more than forty-five years of age, excepting only Indians not taxed, idiots, lunatics, and persons convicted of any infamous crime, shall be enrolled in the enrolled Militia within sixty days after the passage of this act, and between the tenth and thirtieth days of September in each year thereafter, under the supervision of the assessors of internal revenue, by the assistant assessors for the sub-district in which such persons shall respectively reside; and the white and colored persons of each township and ward shall be separately enrolled; and each assistant assessor shall transmit the enrollment so made, as soon as the same shall be completed, through the assessor, to the Bureau of Militia, verified by his official certificate duly sworn, and showing that he endeavored faithfully and to the best of his ability to comply with the provisions of this act in making such enrollment, and believes the same to be without error or omission; and shall, for a period of thirty days thereafter, keep a written or printed copy of such enrollment conspicuously posted at his office or residence.

Sec. 2. And be it further enacted, That the National Guard of the United States shall consist of two regiments of infantry organized of Volunteers from the enrolled Militia in each Congressional district and Territory represented in the Congress of the United States, one of which regiments shall be composed of colored men if more than one-third of the enrolled Militia of such district or Territory shall be colored men; and no person shall be an officer, non-commissioned officer, or private in said National Guard who shall be disqualified for, or exempt from, enrollment in the enrolled Militia, or shall ever have voluntarily borne arms against the United States, or shall have voluntarily given aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto, or shall have sought, or accepted, or attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility thereto, or shall have yielded a voluntary support to any pretended government, authority, power, or constitution within the United States hostile to imminent thereto.

Sec. 3. And be it further enacted, That there shall be a Bureau of Militia, in the War Department, which shall be specially charged with the execution of all laws of Congress enacted to provide for organizing, arming and disciplining the Militia; and the chief of said bureau shall be a major-general of the Army, who may be, at the discretion of the President, either one of the major-generals now provided for by law, detailed for that duty by and with the advice and consent of the Senate, or an additional major-general promoted from the Regular Army or appointed by and with the advice and consent of the Senate, from among those who served honorably as United States Volunteers during the late Rebellion; and in case an additional major-general shall be commissioned, the President may, at any time, by and with the advice and consent of the Senate, re-assign him from duty in said bureau, and he may thereupon be assigned to other duty by the President; and the chief of said bureau shall be the commander of the National Guard, and shall be subject only to the orders of the President and Secretary of War; and the Secretary of War shall detail for duty in said bureau the necessary staff officers of the Adjutant-General's, Quartermaster-General's and Ordnance Departments, and shall appoint the necessary clerks, and classify the same for payment, according to law.

Sec. 4. And be it further enacted, That the National Guard shall be organized in accordance with the following provisions, viz: First, not less than seventy persons, having all the legal qualifications prescribed by law for enrolment in the enrolled Militia, and for enlistment in the National Guard, and residents of the same Congressional district or Territory, shall take and subscribe, in duplicate, the following oath or affirmation: I do solemnly swear, or affirm, that I am a resident of the town, county and State or Territory prefixed to my signature, and am, in all respects, qualified for enrolment in the enrolled Militia, and enlistment in the National Guard, under the provisions of the act entitled "An act to provide for organizing, arming and disciplining the Militia," that I have enlisted for a term of three years in the National Guard, and that I have never voluntarily borne arms against the United States since I have been a citizen thereof, and have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted, nor attempted to exercise the functions of any office whatever, under any authority, or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States hostile or imminent thereto, and I do further swear, or affirm, that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge my duties as a member of the National Guard, so help me God; which oath may be taken and subscribed before any justice of the peace, notary public, or other officer legally authorized to administer oaths in the district or Territory where such company shall be organized; and any person who shall falsely take such oath shall be guilty of perjury, and, upon conviction thereof in any Federal, State or Territorial court of competent criminal jurisdiction in such district or Territory, shall be punished by fine not exceeding five thousand dollars nor less than one hundred dollars, or by imprisonment in any penitentiary or jail of such State, Territory, or district, not exceeding five years nor less than six months, or both, at the discretion of the court, and shall also be stricken from the roll of the National Guard by the commander thereof. Second, After said oath shall have been taken and subscribed by not less than seventy persons as a presaid, they shall elect from their own number one captain, one first lieutenant, and one second lieutenant. Third, The officers so elected shall annex to the aforesaid oath their official certificate, in duplicate, setting forth that they were severally elected officers of such company, according to law, and showing the time and place of such election, and the office to which each was chosen, and shall thereupon transmit one oath and certificate to the Bureau of Militia, and the other to the Governor of the State or Territory; and if no fraud or illegality shall appear in such organization or election, the Governor shall commission the said officers and give official notification thereof to the commander of the National Guard, who shall assign the companies so organized to regiments, brigades and divisions, but not before a sufficient number of such companies shall have been organized to constitute, in accordance with the provisions of this act, regiments, brigades and divisions, respectively; and after such regiments, brigades, or divisions shall have been so organized in obedience to the orders of the commander of the National Guard, and not before, the officers of such regiments, brigades and divisions, respectively, may be elected or appointed as provided in the sixth section of this act; and there shall be no Militia in any State or Territory of the United States except such as shall be organized in pursuance of the provisions of this act.

Sec. 5. And be it further enacted, That all persons who shall enlist in the National Guard shall be held for a term of service of three years from the date of their muster in; and all commissioned officers shall hold their offices until the expiration of three years from the date of their original muster in; and all officers, non-commissioned officers and privates who shall have honorably served until the expiration of such term shall be exempt from further military service in time of peace, but shall be enrolled thereafter in the enrolled Militia until the age of forty-five years, and any person who shall become an idiot, or lunatic, or be convicted of any infamous crime, after muster into the National Guard, shall be stricken from the rolls thereof.

Sec. 6. And be it further enacted, That the organization of companies, regiments, brigades and divisions shall be that of the Army of the United States, but four regiments of infantry shall constitute one brigade, and two brigades one division, and there shall be from fifty to sixty privates in each company in time of peace, and from fifty to one hundred in time of war; and all officers shall be elected or appointed from the officers, non-commissioned officers and privates of their respective companies, regiments, brigades and divisions; and those persons only shall be eligible to such commissions who shall have all the qualifications for enrolment in the enrolled Militia, and

enlistment in the National Guard, in this act prescribed; and all brigade and division officers shall be appointed and commissioned by the Governor of the State or Territory; and all commissioned officers of regiments and companies shall be elected by such regiments and companies respectively, and commissioned by the Governor of the State or Territory; and all non-commissioned regimental and company officers shall be appointed by warrant of the regimental commander; and all elections to fill original or other vacancies, except the original elections of company officers, shall be held by ballot, at such times and places and under such regulations as the commander of the National Guard shall, in general or special orders, prescribe; and if any company or regiment shall fail to fill any vacancy by election, the Governor of the State or Territory shall, without delay, fill the same by appointment; and in any election the person having the highest number of votes cast for any office shall be elected.

Sec. 7. And be it further enacted, That vacancies in the ranks of any company may at any time be filled to the maximum number assigned by law thereto, by volunteers from the enrolled Militia, who shall have all the qualifications prescribed by law for enrolment in the enrolled Militia, and for enlistment in the National Guard, and shall take and subscribe, in duplicate, the oath prescribed in the fourth section of this act, before some officer authorized by the provisions of said section to administer the same, and shall be subject to all the penalties prescribed in said section by falsely taking such oath; and one of said duplicates shall be transmitted, without delay, through the regular military channels to the Bureau of Militia, and the other to the Governor of the State or Territory.

Sec. 8. And be it further enacted, That, in addition to the officers provided for in the preceding sections of this act, there shall be in each State and Territory a commander-in-chief and an adjutant-general of the Militia therein; and the Governor thereof shall be such commander-in-chief, unless it shall be otherwise provided by the constitution or laws of such State, or by the laws of the United States; and said adjutant-general shall be commissioned by the Governor, and shall have the rank of brigadier-general; and said officers shall receive for their services under this act, from their respective States and Territories, such compensation as may be provided by the laws thereof; and said commander-in-chief shall exercise all such authority over the Militia, including the National Guard, as is reserved by the Constitution to the States: but orders, returns, reports and other official communications issued or received by the commander of the National Guard within the scope of his authority shall not be transmitted through said commander-in-chief or adjutant-general of the Militia; and it shall be the duty of said adjutant-general, under the orders of said commander-in-chief, to train the National Guard according to the discipline prescribed in this act; to inspect the same thoroughly at least once in each year; to receive the returns, reports and other official communications provided for in this act; to transmit annually, in October, to the commander of the National Guard three separate consolidated returns, one for ordnance and ordnance stores, one for camp and garrison equipage and clothing, and one for the adjutant-general's department, and also a report of the inspections by him made, in obedience to the provisions of this act, which report shall show the discipline of the troops of the National Guard within the State or Territory, their instruction in military exercises and duties, the state of their arms, clothing, equipments and accoutrements of all kinds, the state of the division, brigade, regiment and company books, papers and files, the zeal and ability of their officers, the condition of all public property, the fidelity and care of officers responsible therefor, and all other important matters affecting the efficiency of said troops.

Sec. 9. And be it further enacted, That in time of peace the National Guard shall obey all orders issued by the commander thereof within the scope of the powers conferred upon Congress over the Militia by the Constitution, of which powers Congress hereby assumes the exclusive exercise; and shall obey all orders issued by the Governors of the respective States and Territories within the scope of the authority reserved by the Constitution to the States; and copies of all returns, reports, and other official communications required by this act to be made to either of said officers shall at the same time be forwarded to the other; and the said Governors and commanders of the National Guard shall, without delay, furnish each other with copies of all orders issued by them respectively; and each State and Territory shall have power to provide for training the National Guard according to the discipline prescribed in this act, and for calling forth the same to execute the laws thereof, and suppress insurrections therein; but no State or Territory shall ever call the National Guard, or any part thereof, into active service for any other purpose, or keep, or organize or permit to be organized any other troops, or pass any law for organizing, arming, or disciplining the Militia or any part thereof; and neither the Governor nor the Adjutant-General of the Militia in any State or Territory shall exercise any authority whatever over the National Guard or any part thereof until they shall have respectively taken and subscribed the oath prescribed in the act entitled "An act to prescribe an oath of office, and for other purposes," approved July 2, 1862; and they shall be subject to all the penalties prescribed by law for falsely taking said oath.

Sec. 10. And be it further enacted, That whenever any regiment shall have been lawfully organized and mustered into the National Guard, the captain of each company shall draw, for its use, from the proper departments, on his requisitions, approved and forwarded by intermediate commanders, and on the order of the commander of the National Guard, the following articles of public property, viz: for each non-commissioned officer, musician, and private, one rifle (or musket), one bayonet, with scabbard, waist belt and belt plate, one cartridge-box, with shoulder belt and belt plate, one cap pouch, one cone pick, one wiper, one ball screw, one knapsack, one canteen, one haversack, one coat, one cap, and pair of pants; for every fifteen non-commissioned officers, musicians, and privates, one tent, two campkettles, and five mess pans; for the non-commissioned officers and musicians five non-commissioned officers' swords, with scabbards, belts, and belt plates, one file, and one drum; for the commissioned officers three swords, with scabbards, belts, and belt plates, and two tents.

Sec. 11. And be it further enacted, That whenever any regiment shall have been lawfully organized and mustered into the National Guard, the commanding officer thereof shall draw, for the use of such regiment, and of the field, staff, and non-commissioned staff officers thereof, from the proper departments, on his requisitions, approved and forwarded by the intermediate commanders, if there shall be any such, and on the order of the commander of the National Guard, the following articles of public property, viz: For each field and staff officer one tent, one sword with scabbard, belt and belt plate, one saddle, one bridle, one pair of spurs, one pair of pistols, and one pair of holsters; for each non-commissioned staff officer one rifle (or musket), one bayonet, with scabbard, waist belt and belt plate, one cartridge-box, with shoulder belt and belt plate, one cap pouch, one cone pick, one wiper, one ball screw, one knapsack, one canteen, one haversack, one coat, one cap, one pair of pants, and one non-commissioned officer's sword, with scabbard, belt, and belt plate; for the whole non-commissioned staff, one tent, two camp kettles, and five mess pans; for the regiment, one national color, one regimental color, four camp colors, and one field piece, with carriage, caisson, and equipments and implements.

Sec. 12. And be it further enacted, That whenever any brigade shall have been lawfully organized the commander thereof shall draw, on his requisitions, approved and forwarded by the division commander, if there shall be one, and on the order of the commander of the National Guard, from the proper departments, for the use of himself and his staff officers, each one sword, with scabbard, belt and belt plate, one saddle, one bridle, one pair of spurs, one pair of pistols, one pair of holsters, and one tent.

Sec. 13. And be it further enacted, That whenever any division shall have been lawfully organized, the commander thereof shall draw, on his requisitions and on the order of the commander of the National Guard, from the proper departments, for himself and his staff officers, each one sword, with scabbard, belt and belt plate, one saddle, one bridle, one pair of spurs, one pair of pistols, one pair of holsters, and one tent.

Sec. 14. And be it further enacted, That all public property issued under the provisions of this act to the National Guard, including clothing, shall remain the property of the United States, always subject to the control of the officer responsible therefor, and always in his actual possession when not in use in the active performance of military duty required or authorized by this act; and such property shall not be used except in the performance of such duty, and shall be turned over by such officer to his successor in office, or to any other person legally authorized to receive the same, whenever the commander of the National Guard shall so order: and every officer to whom such property shall be issued or turned over shall be responsible for the careful use and preservation of the same, whether in his own possession or not; but no issue of public property provided for by this act shall be ordered by the commander of the National Guard until the officer requiring the same shall give his bond to the United States in a penal sum equal to double the regulation price of said property, signed, in duplicate, by himself, with two good and suffi-

cient sureties, residents and freeholders of the county or Territory where he resides, each worth double the penal sum therein named, approved by the president judge and clerk of a court of record of said county or Territory, under the seal of said court, conditioned to pay for any damage, waste, wear, or loss which may result from the fraudulent, unlawful, or negligent use of said property, or from want of care in keeping or preserving the same, or from using the same at times or places, or in modes not authorized by law, or from military orders improperly or unlawfully issued or given by the officer responsible for the same, and to turn over the same to his successor in office, or any other officer of the United States legally authorized to receive the same, when ordered so to do by the commander of the National Guard; and one of said duplicate bonds shall be retained in the Bureau of Militia, and the other transmitted to the Governor of the State or Territory, and the liability of the principal and sureties upon said bond shall extend to all loss and damage resulting from the acts or omissions of other persons, as well as of such principal; and in any action thereon, the burden of showing that the loss or damage proven was excusable, and without fault, negligence, or violation of law on the part of such principal, shall devolve upon the defendants therein; and for all loss, waste, wear, and destruction of said property, and damage thereto, incurred when such property shall be unlawfully out of the actual possession of the officer responsible therefor, the principal and sureties of said bond shall be liable in an action thereon, whether such loss, waste, wear, destruction, or damage shall or shall not have resulted from inevitable accident; and if any officer, non-commissioned officer or private, or other person, shall, without good and sufficient reason, injure, lose, damage, waste, or destroy any of such property, he shall be liable to the officer responsible therefor, and also to the United States for double damages and costs, recoverable in any Federal, State, or Territorial court of competent jurisdiction; and if any person shall wantonly, maliciously, or wilfully injure, lose, damage, destroy, or waste any of such property, or use the same, or permit it to be used at times or places, or in modes not authorized by law, he shall be liable to indictment therefor in any Federal, State or Territorial court of competent jurisdiction; and, upon conviction thereof, to punishment by a fine of not exceeding ten thousand dollars, nor less than twenty dollars, one-half of which shall be paid to the informer, together with the costs of prosecution, or by imprisonment in a penitentiary or jail of the district or Territory, for a period not exceeding one year, nor less than twenty days, or both, at the discretion of the court.

Sec. 15. And be it further enacted, That before any officer responsible for public property shall be ordered by the commander of the National Guard to turn over the same to his successor, according to law, such successor shall give a bond, in duplicate, to the United States, of the same form and tenor, in the same penal sum, and with the same security and conditions which are prescribed in the fourteenth section of this act; and said duplicates shall be disposed of as therein provided; and the liability of the principal and sureties upon said bond, and the responsibility of the officer receiving such property shall be the same as in said fourteenth section prescribed; and all persons shall be liable civilly and criminally for waste, damage, injury, wear, loss or destruction of said property in like cases, to the same extent, in the same courts, and in the same manner as in said fourteenth section prescribed; and when such bond shall have been approved by the commander of the National Guard, and not before, the officer turning over such property shall, with his sureties, be discharged from his own bond, upon presenting the proper receipts from the person receiving the same.

Sec. 16. And be it further enacted, That every bond for property shall be reviewed annually, in the month of October, and every commanding officer who shall have given a good and sufficient property bond, as provided in this act, shall have authority to draw, from time to time, from the proper departments, on his requisitions, approved and forwarded by intermediate commanders, and on the order of the commander of the National Guard, such articles issued under the provisions of this act as shall be necessary to supply deficiencies; but only one cap, one coat, and one pair of pants each shall be issued for the use of the same men, or their successors, in three years.

Sec. 17. And be it further enacted, That the times and places for division, brigade, battalion, company and squad drills, and other military duties and exercises, shall be fixed by each State and Territory by law, or by command of the Governor thereof, but, if not so fixed in any State or Territory, shall be such as the respective commanding officers of the National Guard therein shall appoint; and there shall be in the aggregate not less than \_\_\_\_\_ days of such drills and other military duties and exercises in each year; and there shall also be in each brigade a brigade encampment, and in each detached regiment a regimental encampment, of \_\_\_\_\_ days in each year, commencing on the last Monday of September, for such drills and other military exercises and duties, at such places and under such regulations as the commander of the National Guard shall order.

Sec. 18. And be it further enacted, That all commanders of companies shall make quarterly company returns to regimental headquarters on the first day of January, April, July and October; and all commanders of regiments, brigades and divisions shall make quarterly returns of their commands through the regular military channels, between the first and tenth days of the same months, to the Bureau of Militia, and also to the Governors of their respective States and Territories; and all officers responsible for public property shall make two separate quarterly returns thereof, one of ordnance and ordnance stores, and the other of camp and garrison equipage and clothing, which shall be forwarded in duplicate to the Bureau of Militia between the first and tenth days of January, April, July and October; and all of said returns shall be made, under such regulations as the Secretary of War shall prescribe, upon printed blanks, which shall be furnished by the Bureau of Militia on requisitions made annually or oftener if necessary.

Sec. 19. And be it further enacted, That all commanders of brigades and detached regiments shall make semi-annual inspections of their commands, by regiments or companies, at such times and places as the commander of the National Guard shall order; and all commanders of divisions and detached brigades, and all commanders of detached regiments shall, respectively, at the annual brigade or regimental encampments provided for in this act, inspect the troops, who shall also, at such encampments, be reviewed and mustered for payment; and reports of the inspections so made—showing the discipline of the troops; their instruction in all military exercises and duties, the state of their arms, clothing, equipments and accoutrements of all kinds, and of the brigade, regimental and company books, papers and files; the condition, situation and manner of taking care of all public property; the fidelity and care of all officers responsible therefor; the mode of enforcing discipline; and other important information concerning the troops—shall be without delay forwarded, through the intermediate commanders, to the Bureau of Militia and to the Governor of the State or Territory.

Sec. 20. And be it further enacted, That in order to insure uniformity in the National Guard, the Secretary of War shall cause inspections of the same to be made once in two years, by officers of the Regular Army detailed for that purpose, who shall report upon their discipline, instruction in military duties and exercises; the state of their arms, clothing, equipments, accoutrements of all kinds; the state of the division, brigade, regimental and company books, papers and files; the zeal and ability of their officers; the condition of all public property; the fidelity and care of officers responsible therefor; and all other important matters affecting the efficiency of said troops.

Sec. 21. And be it further enacted, That no officer shall be dishonorably dismissed or cashiered, in time of peace, except by sentence of a general court-martial; and no non-commissioned officer shall be reduced to the ranks in time of peace, by a regimental commander, without the approval of a superior commanding officer.

Sec. 22. And be it further enacted, That each officer, non-commissioned officer, musician and private of the National Guard shall receive from the United States two dollars per diem for the performance of military duty at the drills, encampments and other exercises and duties provided for in this act; but such payment shall not in any case exceed \_\_\_\_\_ dollars per annum. And each division, brigade, regimental and company commander, when responsible for public property under the provisions of this act, shall, if not delinquent in the performance of any of the duties herein prescribed, receive from the United States \_\_\_\_\_ dollars per annum; and it shall be the duty of each commissioned officer to provide himself with the uniform prescribed in the regulations for the Army of the United States, and, if not delinquent in the performance of this or any other military duty, shall receive from the United States, on account of clothing, \_\_\_\_\_ dollars per annum. And all of said payments shall be made annually, through the Pay Department, under such regulations as the Secretary of War shall prescribe.

Sec. 23. And be it further enacted, That any officer, non-commissioned officer, or private who shall, without a sufficient excuse, in disobedience of any lawful order, neglect or refuse to perform military duty at any muster, drill, parade, encampment, or other exercise of his company, regiment, brigade, or division, shall, by order of his immediate commander, be fined two dollars for each day's absence, and such fine shall be stopped from the pay of the delinquent, or, by

command of the officer imposing it, levied upon his personal property not exempt from execution by the laws of the State or Territory or of the United States, by a commissioned officer, who shall sell the same at public auction to the highest bidder, after five days' written or printed notice of sale, posted in three conspicuous places in the township in which such delinquent shall reside or said property be found, and out of the proceeds of such sale the officer making the same shall pay said fine into the Treasury of the United States, and shall remain

dollars for costs, and shall pay over the residue to the officer, non-commissioned officer, or private so fined; but upon any application made by any officer, non-commissioned officer, or private so fined, within five days after notice of such fine, the order imposing the same shall be forwarded to the immediate commander of the officer who shall have imposed it, who shall review the case, and his order in the premises shall be final, and shall be executed as above provided; and for all other offenses officers, non-commissioned officers and privates shall be liable to punishment by court-martial, according to the articles of war to which they may be subject, by order of the Secretary of War, made pursuant to section twenty-nine of this act; and any fine imposed by such court-martial shall be collected by order of the president thereof as in this section provided.

**Sec. 24. And be it further enacted,** That whenever any troops of the National Guard shall be ordered into the service of the United States, according to law, or shall, according to law, become a part of the Army of the United States, upon a declaration of war by Congress, they shall be entitled to the same pay and allowances and to the same issues of commissary's and quartermaster's stores which shall be provided by law for troops of like arms in the Regular service; and in case of wounds, injuries, disability, or death, suffered in the line of duty, all provisions of law for the Regular Army in such cases shall be extended to them, their widows, children, and personal representatives.

**Sec. 25. And be it further enacted,** That it shall be the duty of the commander of the National Guard to see that this act and all other acts of Congress to provide for organizing, arming and disciplining the Militia are faithfully executed; to superintend the distribution and pre-erection of all ordnance and ordnance stores, camp and garrison equipage, clothing and other public property issued to the National Guard; to prepare and issue to the assistant assessors blanks for the enrolment of the Militia, and to the National Guard blank enlistment oaths, muster-rolls, requisitions, bonds, reports, returns and receipts; to cause an enrolment of the Militia to be made within sixty days after the passage of this act, and annually thereafter in the month of October; to see that proper receipts are taken for all public property issued to the National Guard, and proper official bonds given by all officers responsible therefor, and renewed annually in the month of October, and that the official bonds of all delinquents are promptly and diligently prosecuted; to present to Congress annually, before the first day of January, an abstract of the annual returns of the Militia; to receive, through the regular military channels, from the officers of the National Guard, the returns, reports and other official communications required of them by law; to superintend the schools of the National Guard; and to perform all other duties prescribed by law for the Bureau of Militia.

**Sec. 26. And be it further enacted,** That Congress may order the whole or any part of the National Guard into the service of the United States to execute the laws thereof, when the execution of the same shall be obstructed by combinations or forces too strong to be overcome by the civil authorities, to repel invasion, and to suppress insurrections against the authority of the United States, and also to aid in the execution of the laws of any State and the suppression of insurrection therein at the request of the Legislature of such State; and the National Guard, or any part thereof, when so ordered into the service of the United States, shall be subject to the rules and articles of war and to the regulations of the Army; and any officer, non-commissioned officer, or private who, when so ordered into the service of the United States, shall neglect or refuse to report for duty therein shall be liable to trial, conviction, and punishment for desertion, by a general court-martial of the Army of the United States; and no part of the National Guard, or of any other Militia force in the United States shall be called into active service, except in pursuance of the provisions of this act or of authority to be hereafter granted by Congress.

**Sec. 27. And be it further enacted,** That whenever Congress shall declare war, such portion of the National Guard as Congress shall by law provide shall become a part of the Army of the United States; and any officer, non-commissioned officer, or private who shall refuse or neglect to report for duty therein, in obedience to such law of Congress, shall be liable to trial, conviction, and punishment for desertion by a general court-martial of the Army of the United States; and when peace shall be declared, either by an act of Congress or by a proclamation of the President made pursuant to an act of Congress, said troops shall, without unnecessary delay, be mustered out of the Army of the United States and into the National Guard.

**Sec. 28. And be it further enacted,** That whenever, in time of war, Congress shall authorize an increase of the Army above the effective strength of the National Guard, and the quota of any Congressional district or Territory shall not be filled by Volunteers within thirty days after the President's proclamation announcing such quota, the President shall, unless it shall be otherwise provided by law, proceed to fill such quota by a draft from the enrolled Militia of such district or Territory, under such rules and regulations, not inconsistent with the Constitution or laws, as he may prescribe; and for that purpose shall, in his discretion, either use the last annual enrolments or order new enrolments by the assistant assessors of such district; and the troops so raised by volunteering or draft, or both, shall have the company and regimental organization herein provided for the National Guard; but their brigade and division organization shall be that of the Regular Army; and when peace shall be declared, either by an act of Congress or by a proclamation of the President, made in pursuance of an act of Congress, all troops raised in accordance with the provision of this section shall be, without unnecessary delay, mustered out of the service of the United States; and the following persons shall be exempt from such draft, viz: Such as are rejected as physically or mentally unfit for the service; also,

First, The Vice President of the United States, the judges of the various courts of the United States, the heads of the various executive departments of the Government, and the Governors of the several States.

Second, The only son liable to military duty of a widow dependent upon his labor for support.

Third, Where there are two or more sons of aged or infirm parents subject to draft, the father, or if he be dead, the mother, may elect which son shall be exempt.

Fourth, The only brother of children not twelve years old, having neither father nor mother, dependent upon his labor for support.

Fifth, The father of motherless children under twelve years of age, dependent upon his labor for support.

Sixth, Where there are a father and sons in the same family and household, and two of them are in the military service of the United States as non-commissioned officers, musicians, or privates, the residue of such family and household, not exceeding two, shall be exempt.

Seventh, Indians not taxed.

Eighth, Persons convicted of felony; and no other persons shall be exempt.

**Sec. 29. And be it further enacted,** That the tactics, arms, accoutrements, equipments, uniform, colors, camp colors, files, drums, tents, camp kettle, mess panns, saddles, bridles, spurs, and holsters, and the regulations for guard duty, for the forms of guard-mounting, inspection, review, and dress parade, and for courts-martial, funeral ceremonies, salutes, and honors paid by the troops to be observed by the National Guard, shall be those lawfully prescribed for the Regular Army; and the Secretary of War shall from time to time direct what other regulations of the Army of the United States, and also what articles of war shall be observed by the National Guard.

**Sec. 30. And be it further enacted,** That it shall not be lawful for any troops of the National Guard to hold any muster, drill, parade, encampment, or other meeting under arms, on the day of any election appointed by the laws of any State or Territory of the United States, within one mile of any place of voting; and any person guilty of a violation of the provisions of this section shall, upon indictment and conviction thereof, before any Federal, State, or Territorial court of competent criminal jurisdiction, be punished by a fine not exceeding dollars, nor less than dollars, or by imprisonment in any penitentiary or jail of the district, county, or Territory where the offence shall have been committed, for a period not exceeding years, nor less than days, or both, at the discretion of the court, together with costs of prosecution.

**Sec. 31. And be it further enacted,** That all the powers, privileges, and duties conferred or imposed by the provisions of this act upon the Governors of States shall be exercised in each State by such person as shall, under the constitution and laws thereof, be the Commander-in-chief of the Militia therein; and all provisions of this act relating to the Territories shall be equally applicable to the District of Columbia; and all provisions hereof relating to the Governors of Territories, shall be equally applicable to the President, or

other legally constituted chief executive officer of said District; but the powers and duties conferred and imposed by this act upon the Governors of Territories shall only be exercised or performed by such Governors of Territories as shall hold their offices by authority and in pursuance of some act or acts of the Congress of the United States.

**Sec. 32. And be it further enacted,** That from and after the passage of this act commissions in the Army of the United States shall be granted only to the graduates of the United States Military Academy, and of the schools of the National Guard, and to officers, non-commissioned officers and privates of the Regular and Volunteer Military, Naval and Marine forces, and National Guard, of not less than one year's honorable service therein, and persons honorably discharged therefrom, after not less than one year's service therein.

**Sec. 33. And be it further enacted,** That the field pieces, carriages, caissons, equipments, and implements which shall be issued, under the provisions of this act, to regimental commanders, shall be used under their supervision for the instruction and practice of their commands in the tactics for light artillery prescribed for the Army of the United States; and, with the approval of the brigade commander, the pieces and caissons of each brigade may be temporarily united in a four-gun battery, and served by volunteers or details from the respective regiments, under officers detailed by the brigade commander.

**Sec. 34. And be it further enacted,** That for all services rendered in accordance with the provisions of this act assistant assessors shall receive the same allowance per diem to which they shall be by law entitled for the performance of the ordinary duties of their office, together with cents for each name duly enrolled.

**Sec. 35. And be it further enacted,** That within after the passage of this act four schools of the National Guard shall be established, at places most convenient for the several States and Territories, to be designated by joint resolution of Congress, within after the passage of this act, or by the President in case of the failure of Congress so to designate the same; and the course of instruction shall be the same as that prescribed for the United States Military Academy; and a sufficient number of competent instructors shall be provided by the Secretary of War, by the detail of officers of the Army of the United States, and the employment of civilians when necessary; and all said schools shall be under the superintendence of the commander of the National Guard; and within after the quota of the troops of the National Guard assigned by this act to any Congressional district or Territory shall have been completely organized and mustered into service, four cadets, and in each year thereafter two cadets, shall be selected by competitive examination for said school from the officers, non-commissioned officers and privates of the National Guard of such district or Territory by a Board consisting of a majority of the field officers and captains therein, at such times and places, and under such regulations as the Secretary of War may prescribe; and at each annual selection of cadets, after the third, in any district or Territory, so many shall be selected as will make the whole number from said district or Territory equal to eight; and the pay and allowances and uniform of such cadets shall be the same as those of the cadets of the United States Military Academy; and after the said schools shall have been so located, the Secretary of War shall, without unnecessary delay, purchase sites for the same, erect the necessary buildings, and purchase the necessary books, implements, and apparatus; and, until such buildings shall be in readiness for use, shall rent, in the localities designated for such schools, buildings for the temporary accommodation thereof, on the most advantageous terms; and such cadets shall be admitted only between the ages of eighteen and twenty-one years, but any officer, non-commissioned officer, or private of the National Guard, who has honorably and faithfully served not less than one year as an officer or enlisted man in the Regular or Volunteer military service, or as an officer or seaman in the naval service of the United States, in the late war for the suppression of the Rebellion, and who shall possess the other qualifications prescribed by law, shall be eligible to appointment until the age of twenty-four years; and said schools shall be subject to such of the rules and regulations for the government of the United States Military Academy, not inconsistent with the provisions of this act, as the Secretary of War shall from time to time direct; but the academic year of said schools shall commence at least five months earlier than that of the United States Military Academy; and all appointments of cadets in the United States Military Academy shall be made from the schools of the National Guard, as follows, viz: Every such appointment for any Congressional district or Territory shall be conferred upon the person of the highest capacity, merit and qualifications, among the cadets of such district, in one of the schools of the National Guard, to be selected by the Academic Board of such school, and nominated to the Secretary of War under such regulations, not inconsistent with the provisions of this act, as he may prescribe; and three cadets in the United States Military Academy shall be annually appointed at large from each school, to be selected in like manner from the whole number of cadets therein; and the commander of the National Guard shall so apportion the cadets of the several districts and Territories that all the cadets from the same district or Territory shall be assigned to the same school; and all graduates of said schools shall, after their graduation, serve three years in the National Guard, or Army or Navy of the United States.

**Sec. 36. And be it further enacted,** That the following acts and parts of acts be, and the same are hereby repealed: "An act more effectually to provide for the national defence, by establishing an uniform Militia throughout the United States," approved May 8, 1792; "An act to provide for calling forth the Militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes," approved February 28, 1793, except the sixth and ninth sections thereof; "An act additional to and amendatory of an act entitled "An act concerning the District of Columbia,"" approved May 3, 1802; "An act in addition to an act entitled "An act more effectually to provide for the national defence by establishing an uniform Militia throughout the United States,"" approved March 2, 1803; "An act more effectually to provide for the organization of the Militia in the District of Columbia,"" approved March 3, 1803; "An act making provision for arming and equipping the whole body of the Militia of the United States,"" approved April 23, 1808; "An act supplementary to an act entitled "An act more effectually to provide for the organization of the Militia of the District of Columbia,"" approved July 1, 1812; and all acts and parts of acts inconsistent with the provisions of this act; but no parts of acts repealed by the acts hereby repealed shall revive; and all State and Territorial laws enacted to provide for organizing, arming, or disciplining the Militia, or calling forth the same, except in accordance with the provisions of this act, or for organizing, or maintaining troops of any kind, in time of peace, shall be inoperative after the expiration of ninety days from and after the passage of this act.

BREVET Major-General COOKE, commanding Department of the Platte, in publishing the proceedings of a General Court-martial which convened by his order, remarks as follows:

It appears on the record of this Court that some of the findings, and sometimes the words "and the Court do, therefore, sentence him," are in the handwriting of a clerk. In a very long service the reviewing officer has never known such a construction of the oath taken by the Judge-Advocate and the Court, and he decidedly condemns it. He observes also some irregularities in the proceedings; in one case several plainly "leading questions" were asked; but as they were on the defense, perhaps do not vitiate the proceedings in the case. The Court also did not conform to the rule that they should not take a leading part in the examination of witnesses; that they should ask no questions until both parties to the trial have finished; and then, only to elucidate some point that has happened to be left obscure to the mind of a member. It is objectionable that the record of this Court is on only one side of each leaf; and this is contrary to paragraph 893, Revised Regulations for the Army. The Court is dissolved.

At length a Palliser shot has been sent through the inclined *Warrior* target, but it required twenty-two pounds of powder in a 7-inch rifle. The straight target has been easily pierced with 13 pounds of powder, and the relative values of the inclined and the straight *Warrior* targets are, therefore, as 22 and 13. This is counted as a victory for the Monitor style of armor.

#### A PRIVATE SOLDIER IN THE SENATE.

A CORRESPONDENT of the Cincinnati *Gazette*, writing from Washington, gives the following description of General Jim Lane's successor in the U. S. Senate:

In that seat in the Senate Chamber so long occupied by General Lane of Kansas, and upon which the eyes of the nation were anxiously fixed at times, there now sits a private soldier—the only one who has as yet taken his place among our Senators.

Of medium height, rather slight, yet well formed, with finely shaped head covered with an abundance of brown hair; with a clear, pleasant eye; with regular features, lighted up by a genial manner when conversing—such is the new Senator. While drawn toward him by a certain overflowing of whole-souled fellowship and the kindness which seems to dwell in his eye, there comes the feeling that the man before you is a born soldier, to battle sternly and manfully for the right, whenever and wherever he finds its sacred precincts invaded, and such he has been and such his past gives sure promise that he will be.

Edmund G. Ross of Lawrence, Kansas, has had an interesting career. When Northern men were first turning their faces toward the new Territories so lately carved out of the Indian possessions, Mr. Ross was foreman of the Milwaukee *Sentinel* printing office. When the little party which accompanied him started for their destination, Northern men could not safely cross the State of Missouri, and with their ox team they were obliged to drive around through Nebraska. Ten years have wrought wonderful changes. After reaching Kansas, his first act was to haul stone with his ox team for the foundation of a printing office. From this office, when constructed, he issued the Topeka *Tribune*, and very often, for weeks together, it was printed on sheets slashed with bowie knives, the border ruffians habitually finding the bundles of paper at Kansas City landing, and running their knives into them. But the rude work of planting civilization on those prairies gave way to the ruder work of war.

On the breaking out of the Free State troubles Mr. Ross shouldered his rifle and did the duty of a freeman in the field. Through all these difficulties he was thus engaged. In 1859 he was a delegate to the Constitutional Convention which formed the present Constitution, and in that body he was regarded as one of the most reliable Free State men, and he made himself felt in the shaping of all radical measures. In 1861-2 came national war, and again he stood a private soldier in the ranks, and marched, and toiled, and fought as our noble private soldiers did. He was eventually promoted to the rank of captain in his regiment, the Eleventh Kansas, and afterward, on its reorganization as cavalry, he became Major Ross, and escaping the provoking farce of being brevetted Brigadier or Major-General, he is Major Ross still, and though his record is bright as an officer, the merit which shines upward from the ranks where he served eclipses it. To follow him as a soldier is to march over the fields of all that fighting in the great Southwest, a field almost equal in extent to the hunting grounds of the Indians.

The war ended, he returned to his paper, and was editing the Lawrence *Tribune* when selected by Governor Crawford to take the seat in the Senate made vacant by the death of Mr. Lane.

The term for which he is serving expires upon the election by the Legislature, which meets in January next. The chances, as now calculated by Kansas men, are decidedly in favor of Mr. Ross. Some forty members of the Legislature were his comrades in the field. The argument that the private soldiers who fought the war deserve to have one of their number in the highest legislative assembly in the land, is an argument that can be used for no other Senator. In this respect he would not only represent the soldiers of his own State, but the hundreds of thousands out of it, who marched for years in sun and snows and rain, and battle sleet, with haversack, blankets and gun.

It would be a source of constant satisfaction to all soldiers who, for six years, will visit the Capitol, to be able to point out one among all the Senators who fully understands what it is to bear the burdens of this war as the soldier in the ranks did—who could think as they looked at him: That man slept in his blankets as we did, pounded his coffee, when he had any, with his bayonet, in his tin cup, cut up his bacon with his pocket-knife, divided his hard tack with his comrades, foraged for chickens, and shot pigs, and did other acts by which hungry soldiers kept themselves in fighting trim; burnt fence rails, marched with blistered feet, and sometimes tied his shoes to the top of his musket and went barefoot to ease the pain of walking. That man has cut timber for forts, and dug rifle pits, and thrown up intrenchments. He has curried horses, and fed them, and watered them. In the battle he bore himself a man. And now he is a Senator—one of us and yet a Senator. Surely the people of Kansas do not forget the real heroes of the war. Such thoughts will run through the mind of every soldier who looks from the Senate galleries upon Senator Ross.

THE *Illustration Militaire* has the following curious estimate of the bullets which were shot at Koniggratz: "It appears that a tradesman of the town of Koniggratz has sold nearly five hundred quintals (the quintal has one hundred kilo, or pounds) of small balls picked up on that field of battle. The balls are Prussian, as the calibre proves. Twenty of these balls weigh a pound; this proves that no less than two thousand thousand balls were shot away with no result, and we may at least triple the number which have not been found. Thus eight hundred thousand shots have been fired for naught. It would be curious to compare these figures with the number of men killed on the field of Koniggratz.

THE Secretary of War, on the 31st ultimo, issued an order to the following effect:

In compliance with the 6th section of the act approved April 24, 1816, the Assistant Paymaster-Generals, authorized by section 18 of the act approved July 23, 1866, will be required to give good and sufficient bonds, in the amount of fifty thousand dollars, previous to entering on the duties of their office.

## CORRESPONDENCE.

To the Editor of the Army and Navy Journal:

## THE RANK OF THE COMMANDANT OF THE MARINE CORPS.

To the Editor of the Army and Navy Journal:

Sir:—An article appeared in your issue of the 5th inst., relative to promotion in the United States Marine Corps, occasion being taken to assail the bill now before Congress creating the grade of brigadier-general. That the corps should have caught the contagion that has afflicted all branches of the military service, relative to promotions, is not surprising. Every officer who was fortunate enough to have been selected to take part in active operations during the late Rebellion, considers it an act of injustice if not promoted over his seniors, who, during the war, were equally honorably employed either at the various marine magazines throughout the country or at headquarters.

The proper protection of the various munitions of war at the several naval stations, the instruction of troops in the duties of the soldier at the several marine barracks, we claim, contributed much to the success of the marines who gallantly sustained the reputation of the corps in the many brilliant naval victories of the war.

I consider it not only eminently proper, but also an act of simple justice to the corps, that the bill now before Congress relative to creating the grade of brigadier-general, should become a law. The corps knows no higher rank at present than that of colonel, although composed of some thirty-six hundred men—a number certainly sufficient to entitle its commander to the proposed grade, particularly when it will be conferred on an officer who has served honorably for nearly half a century, and one whom age alone prevented from taking an active part during the late Rebellion.

In regard to those officers supposed to have been recommended for promotion under the act of January, 1865, I cannot see that Marine officers alone have any especial cause for complaint, as the provisions of this law relative to officers of the Navy never have been carried out.

I feel satisfied that should any officers of Marines have been recommended by this Board for promotion their interests will not suffer in the hands of the present able commandant of the corps, who is too alive to its interests and all that may contribute to its reputation for gallantry, and efficiency to allow this law to remain "a dead letter."

## STAFF.

[The communication to which the above correspondent alludes was intended to urge the services of the Marine Corps as a reason for the passage of the bill creating a Brigadier-General of Marines, and not to assail the measure.—EDITOR.]

## THE COLOR BEARER.

To the Editor of the Army and Navy Journal:

Sir:—A few dashes of the pen, even a poor one, frequently accomplishes a good work; and it is with this hope that I am tempted to appeal to those in authority, through your columns, to ratify the assertion—The color bearer should be something higher in grade and rank than a sergeant. If there is a position in the Army involving responsibilities the most delicate and interesting—responsibilities that embrace in their hold on the soldier all interest both honorable and gallant—one that demands respect—that position is the color bearer; he to whom is intrusted the work of holding aloft the emblem of his country, that his comrades may not in battle lose sight of its all-important teachings, "Liberty and Union," and no finer object of true moral duty and courage can be presented than he who does this work well.

In all other countries this valuable and responsible trust is conferred upon the junior ensign of the troop or corps. Certainly we should be as proud of our colors, and as anxious to see them in safe hands. And not this alone, but it is due to him who has this work to perform. I would make the following suggestion, which I think will appear just and proper to all. Create in the Army the rank of ensign, whose duty it shall be to carry the United States colors with the regiment to which he may belong. Let him be appointed the same as the lieutenants are at the present time—for meritorious services rendered during the late war, and ability to pass the "Examining Board," with this addition that he have a fine military bearing. Then appoint one extra sergeant and six extra corporals from the companies forming the regiment as color sergeant and guard; the sergeant to carry the regimental colors. These men becoming a permanent party will then appreciate their position, and we can do away with the present mode of detailing non-commissioned officers from their companies. It would be but a small expense, and would certainly tend to secure that greater respect which is ever due to the colors of our country. H. S. F. 21.

## COMPANY SAVINGS.

To the Editor of the Army and Navy Journal:

Sir:—With a view to eradicate a nefarious system which has sprung up among us since the war, I would beg the medium of your valuable paper to expose it. When the company's savings had been commuted by the commissary officer, the amount was handed over to the captain, and duly entered in the "accounts;" but that mode of action having been suspended, the "savings" are disposed of by private sale, by some enlisted men, to the "best advantage." With such opportunities to find customers "to suit," it cannot be much of a surprise, now-a-days, to learn that the honesty of these men is in danger. The "customer" will not hesitate to give receipts for less than the amount, while the balance finds no place in the company's accounts. This system has so shaped itself within the last year as—in the hands of an expert—to defy the scrutiny of a commissioned officer. The persons who make these sales can thus acquire more than twice their pay, and it is a well known fact that they appear more interested in shaving down the rations to make "savings" than the "good of the service" would require. But they

tend secure with their "customers," who will not "go back on them," and thus defy investigation.

AN ENLISTED MAN.

CHATTANOOGA, TENN., Jan. 4, 1866.

## LONGEVITY RATIOS.

To the Editor of the Army and Navy Journal:

Sir:—Under the acts of Congress, approved July 5, 1838, and May 13, 1846, "Commissioned officers of the Army" are allowed one extra ration per day for every five years' service. The Second Comptroller decides that "service in the Volunteers is not service in the Army," and Volunteers now in the Regulars cannot count their hard service in the field during the recent Rebellion.

It seems to me that any candid, impartial man must acknowledge the injustice of this decision. My neighbor served in the North during the greater part of the war as quartermaster, recruiting officer, commissary, or in some other position subjecting him to no danger or hardship. He held a commission in the Regular Army, however, and is therefore entitled to count the time so spent to draw a longevity ration. Two-fifths, at least, of the officers composing the present Army are Volunteers who served in the field, and who now learn that their time was of no account. The Government pays better to the same classes for services in the office than for battle-field duties. Regular officers who hold commissions in the Volunteers count that time. Volunteers regularly mustered into the service of the United States are fully entitled to the same, and ought to have it. If the Second Comptroller won't give it, Congress ought to.

BLANK.

January 4, 1867.

## EQUATORIAL CURRENT.

LIEUTENANT L. G. VASSALLO, U. S. Navy, has published the following as the result of his investigations of the equatorial current:

Following the most approved charts and sailing directions in use at the present day, we find the course of the equatorial current between meridians 35 deg. and 47 deg. W. and parallels 3 deg. south to 3 deg. north, is laid down during the months from May to October as varying from N. W. to N.

In a cruise in the U. S. steamer *Ticonderoga* from the "Rocas" to the Lower Antilles, in September, 1864, I found the equatorial current to diverge considerably from the above direction.

As the determination arrived at was only attained after the most careful observation, which placed it almost beyond the reach of any error affecting it, I was naturally led to consider the course, for either this was an unusual current or the authorities consulted were at fault. The following is the manner in which I account for the southerly direction which this current assumes in the included belt (35 deg. 47 deg. and 3 deg. 3 deg.), and I think it is, at least, a very plausible one.

The great equatorial current of the Atlantic, sweeping across from the western coast of Africa, separated into two branches at Cape St. Roque, Brazil, one rushes along in a southwesterly direction, the other following the N. E. coast line of South America, flows with considerable velocity toward the northward and westward. This is the portion I wish to consider, and its direction to the northward and westward, I contend, holds good only for the main body along the southern edge, however, diverging currents to the southward and westward exist, and they owe their existence to the Amazon; the equatorial current rushing along to the northward and westward meets the vast mass of water from the Amazon to the northward and eastward; in the struggle which ensues between the two, each endeavoring to preserve its previous course, the stronger, that is, the equatorial current, prevails, and the Amazon waters are forced along in a N. N. W. direction at the rate of above 60 miles in 24 hours. Here, although prevailing in the end, the equatorial current receives a considerable check, the influence of which is felt back as far east as 39 deg. of longitude, causing a large portion of the water on the southern edge to be diverted from its original course to the south, on the northern to the north.

One of the objections that may be raised to the above theory is, that if the resistance which the waters of the Amazon offer to the progress of the equatorial current was the true cause of the diverging currents, setting to the south, then the nearer the resistance the greater the divergence, and vice versa; but it was found that the currents diverged more to the south in longitude 39 deg. west than they do in 45 deg.; this, however, can be readily explained, for one element which enters into the above objection has been overlooked, viz: that as you approach the Amazon you encounter the water flowing from it to the northward and eastward, and this must have some effect in diminishing the southerly direction of the diverging currents. This will be seen from the following tables:

Date.	Meridian to another.	Latitude at noon.	Longitude at noon.	Current in twenty-four hours.	
				deg.	min.
1864.					
Sept. 3d..	Left Rocas Is'd. Mag. Meridian.	South.	West.		
6th..	Fresh breeze. S. E. $\frac{1}{2}$ E.	3° 22' 28"	56° 02' 09"	8. 9	W. 13'
7th..	E. $\frac{1}{2}$ E. S. E.	1° 54' 38"	59° 21' 09"	8. 54	W. 29'
8th..	E. $\frac{1}{2}$ N.	0° 17' 24"	42° 21' 34"	8. 73	W. 31'
9th..	Light breeze. E. $\frac{1}{2}$ N.	1° 22' 56"	45° 09' 46"	S. 66	W. 51'
10th..	E.	2° 48' 55"	47° 14' 31"	S. 55	W. 58'
11th..	S. E.	4° 21' 57"	49° 41' 30"	N. 76	W. 103'
12th..	Calm.	5° 20' 50"	50° 07' 00"	N. 23	W. 57'

By the foregoing tables it will be seen that the current for September 6th was found to have been eleven miles south. This I attribute to influence still exerted upon the northern branch of the current by that portion setting to the south.

From September 6th to the 10th the current averaged W. S. W. 42 miles in 24 hours. Here we were evidently in the currents diverging from the main body to the southward.

From September 10th to the 11th the current averaged 103 W. by N. This was the strongest portion of the cur-

rent, and its direction was perhaps more westerly than might have been expected, from the mere fact that it here had not experienced the resistance of the land on the western side of the mouth of the Amazon, the tendency of which is to drive it more to the northward.

From September 11th to 12th the current was N. N. W. 57 miles per day, which agrees exactly with my theory, for the equatorial current and waters of the Amazon here uniting, and both affected to a certain extent by the conformation of the land, flow in a N. N. westerly direction, a direction belonging to neither, for, if the equatorial current was uninfluenced by the Amazon, its course would be more to the westward, and on the same supposition the Amazon would send its waters more to the northward and eastward.

## REMARKABLE TIDE-RIP IN THE NORTHEAST TRADE-WIND REGION.

About 1:45 A. M. on the 12th of September, latitude 4 deg. 69' min. north, longitude 49 deg. 59' min. west, with a westerly current of four miles an hour, a loud roaring noise, not unlike the rising of a squall, was heard, and a large tide-rip stretching from north to south as far as the eye could reach was seen approaching from the eastward. At 2 it reached us, and appeared to be twenty feet wide only, but the water around was greatly agitated. It was accompanied by heavy rollers, which caused the vessel to labor very deeply.

At daylight the water was observed to be very much discolored, and the current seemed to run in a southeasterly direction.

A light boat was lowered and furnished with a compass and deep-sea lead, and was brought to close under the stern of the vessel, with the latter after veering to 120 fathoms line, the boat headed N. W. proving that the course of the current was a S. E. one, although the ship drifted in a N. W. by W. direction.

There were evidently two currents, an upper and an under one, and the following experiment proved the correctness of this conclusion:

A deep plate was attached to a line, which on being lowered into the water, floated on its surface in a S. E. direction at the rate of 2.5 miles an hour. The plate was then canted on its side and sunk, drifting to the southeastward, until it reached the depth of 7-12 feet, when it commenced to drift to N. W. by W. with a still greater velocity. At the time of the experiment the draught of the ship was 14 feet aft, and from 2 A. M. on the 12th, until noon of the same day, she drifted in this current 24 miles.

On the 12th of September several tide-rips were seen. In the forenoon of the 13th the surface current was observed to weaken, and at 2 o'clock P. M. it had entirely disappeared, the ship being, by observation, in latitude 6 deg. 34' min. N., and longitude 50 deg. 33' min. W. The water being still discolored, it was evident that the discolored water could be no other than the stream of the Maron or Amazon pursuing its original impulse at no less than 300 miles from the mouth of the river, its waters not yet being mingled with the blue waters of the ocean of greater specific gravity, on the surface of which it had pursued its course.

NAVY-YARD, NEW YORK.—The *Quinnebaug*, new screw vessel, was masted on Saturday, January 5th. She is bark-rigged, with long lower masts, large fore and aft sails, after the style of the French screw gunboats. She is propelled by a twin-screw English engine.

The *Anapolis*, supply vessel, sailed 10th instant for (Atlantic and Gulf) Coast squadrons.

The *Iroquois* went into commission on Monday, 7th instant, and will sail about 16th instant for East Indies. The following is a list of her officers: Commander, Earl English; Lieutenant Commanders, Alfred T. Mahan, Wm. F. Stewart; Master, Nichol Ludlow; Ensigns, A. H. Fletcher, Royal B. Bradford, Josiah M. Wilson; Midshipmen, Wm. H. Emory, Horatio R. Wilson, M. R. Phelan, Wm. Watts, Geo. A. Bicknell; Surgeon, T. W. Leach; Assistant Surgeon, H. F. Beaumont; Paymaster, A. D. Bacho; First Assistant Engineer, Henry B. Nones; Second Assistant Engineers, M. M. Knowlton, W. W. Heaton; Acting Third Assistant Engineers, Jesse H. Chesney, Henry E. Rhodes; Captain's Clerk, A. B. Whitehouse; Acting Boatswain, Herman Peters; Carpenter, O. H. Gerry; Sailmaker, Josiah C. Crowell.

The *Susquehanna* arrived at the Navy-yard on Sunday, the 6th instant, from Key West; a few repairs are to be made, but she will be ready for sea in a few days.

The *Huron* went into commission January 8th, and will sail for the Brazils about the 15th. The following is a list of her officers: Lieutenant Commander, Henry Erben, Jr.; Master, Wm. K. Wheeler; Ensign, W. H. Elliott; Acting Ensigns, H. D. Burdett, Stephen C. Hill; Acting Assistant Surgeon, H. C. Eckstein; Second Assistant Engineer, Oscar Lewis; Acting Second Assistant Engineers, L. K. Burgoyne, Jos. H. Finn; Acting Third Assistant Engineers, Francis L. Andrews, Peter Smith; Passed Assistant Paymaster, D. P. Wight.

The *Narragansett* was masted January 9th, and will be ready for sea about the 1st of February.

The *Oneida*, *Quinnebaug*, *Pequot*, and *Shawmut* are under equipment.

The *Tallahoma* and *Dumbarton* are under repairs.

The *Peoria* sailed on Sunday to join the North Atlantic Squadron, via Fortress Monroe. The following is a list of her officers: Commander, O. C. Badger; Lieutenant Commander, La Rue P. Adams; Acting Masters, Jas. A. Williams, Wm. P. Randall, W. V. B. Haines; Acting Ensigns, A. D. Campbell, G. W. Beverly; Mates, Jas. Williams, J. A. Belcher, Jas. Oliver (left at New York, witness on a court-martial), Jno. C. Howard; Passed Assistant Surgeon C. H. Giberson; Passed Assistant Paymaster, H. T. Wright; First Assistant Engineer, Geo. Purdy; Second Assistant Engineers, H. S. Ross, Jno. W. Gardner, Robt. L. Webb; Acting Second Assistant Engineer, Webster Lane.

The *Penobscot* sailed on Sunday for the Asiatic Squadron.

COMMANDER J. C. Febiger, commanding steamer *Ashuelot*, reports his arrival at Point de Galle, Ceylon, October 28th last. As soon as coaled he was to sail for Singapore. Crew and officers all well.

## EARLY AS A HISTORIAN.

JUBAL A. Early has printed privately at Toronto a work descriptive of the last year of the war. The title page of the work gives the following indications of its contents:

A Memoir of the Last Year of the War for Independence in the Confederate States of America; containing an account of the operations of his commands in the years 1864 and 1865, by Lieutenant-General Jubal A. Early, of the Provisional Army of the Confederate States. Dedicated to the memory of the heroic dead, who fell fighting for liberty, right, and justice. "Deo Vindice."—Toronto.

The Richmond *Inquirer* publishes the preface to this extraordinary work, which we give in full. If the number of I's in the body of the work are in proportion to those in the preface, the compositors will be hard pushed for a supply of this letter. The spread-eagleism and fire-breathing of this preface would have done better service to Mr. Early's much-loved cause had they been used to rally his troops and save his artillery when he was flying through the Valley before Sheridan's victorious squadrons. However, we believe they will produce as much effect now as ever:

## PREFACE.

Under a solemn sense of duty to my unhappy country, and to the brave soldiers who fought under me, as well as to myself, the following pages have been written:

When the question of practical secession from the United States arose, as a citizen of the State of Virginia, and a member of the Convention called by the authority of the Legislature of that State, I opposed secession with all the ability I possessed, with the hope that the horrors of civil war might be averted, and that a returning sense of duty and justice on the part of the masses of the Northern States would induce them to respect the rights of the people of the South. While some Northern politicians and editors, who subsequently took rank among the most unscrupulous and vindictive of our enemies, and now hold me to be a traitor and Rebel, were openly and sedulously justifying and encouraging secession, I was laboring honestly and earnestly to preserve the Union.

As a member of the Virginia Convention I voted against the Ordinance of Secession on its passage by that body, with the hope that, even then, the collision of arms might be avoided, and some satisfactory adjustment arrived at. The adoption of that ordinance wrung from me bitter tears of grief; but I at once recognized my duty to abide the decision of my native State, and to defend her soil against invasion. Any scruples which I may have entertained as to the right of secession, were soon dispelled by the mad, wicked, and unconstitutional measures of the authorities at Washington, and the frenzied clamor of the people of the North for war upon their former brethren of the South. I then, and ever since have, regarded Abraham Lincoln, his counsellors and supporters, as the real traitors who had overthrown the Constitution and Government of the United States, and established in lieu thereof an odious despotism; and this opinion I entered on the journal of the Convention when I signed the Ordinance of Secession. I recognized the right of resistance and revolution as exercised by our fathers in 1776, and, without cavil as to the name by which it was called, I entered the military service of my State, willingly, cheerfully, and zealously.

When the State of Virginia became one of the Confederate States, and her troops were turned over to the Confederate Government, I embraced the cause of the whole Confederacy with equal ardor, and continued in the service with the determination to devote all the energy and talent I possessed to the common defence. I fought through the entire war without once regretting the course I had pursued, with an abiding faith in the justice of our cause; and I never saw the moment when I would have been willing to consent to any compromise or settlement short of the absolute independence of my country.

It was my fortune to participate in most of the great military operations in which the army in Virginia was engaged, both before and after General Lee assumed the command. In the last year of this momentous struggle I commanded, at different times, a division and two corps of General Lee's army in the campaign from the Rapidan to James River, and subsequently a separate force which marched into Maryland, threatened Washington City, and then went through an eventful campaign in the Valley of Virginia. No detailed reports of the operations of these different commands were made before the close of the war, and the campaign in Maryland and the Valley of Virginia has been the subject of much comment and misapprehension. I have now written a narrative of the operations of all my commands during the closing year of the war, and lay it before the world as a contribution to the history of our great struggle for independence. In giving that narrative, I have made such statements of the position and strength of the opposing forces in Virginia, and such reference to their general operations as were necessary to enable the reader to understand it; but I do not pretend to detail the operations of other commanders.

I have not found it necessary to be guilty of the injustice of attempting to pull down the reputation of any of my fellow-officers, in order to build up my own. My operations and my campaign stand on their own merits, whatever they may be. Nor, in anything I may have found it necessary to say in regard to the conduct of my troops, do I wish to be understood as, in any way, decrying the soldiers who constituted the rank and file of my commands. I believe that the world has never produced a body of men superior in courage, patriotism and endurance, to the private soldiers of the Confederate armies. I have repeatedly seen those soldiers submit, with cheerfulness, to privations and hardships which would appear to be almost incredible; and the wild cheers of our brave men (which were so different from the studdied hurrahs of the Yankees), when their thin lines sent back opposing hosts of Federal troops, staggering, reeling and flying, have often thrilled every fibre in my heart. I have seen, with my own eyes, ragged, barefooted and hungry Confederate soldiers perform deeds which, if performed in days of yore by mailed warriors in

glittering armor, would have inspired the harp of the minstrel and the pen of the poet.

I do not aspire to the character of a historian, but, having been a witness of and participant in great events, I have given a statement of what I saw and did, for the use of the future historian. Without breaking the thread of my narrative as it proceeds, I have given, in notes, comments on some of the errors and inconsistencies committed by the commander of the Federal Army, General Grant, and the Federal Secretary of War, Mr. Stanton, in their reports made since the close of the war. Also, some instances of cruelty and barbarity committed by the Federal commanders which were brought to my immediate attention, as well as some other matters of interest.

As was to have been expected, our enemies have flooded the press with sketches and histories, in which all the appliances of a meretricious literature have been made use of, to glorify their own cause and its supporters, and to blacken ours. But some Southern writers, also, who preferred the pen to the sword or musket, have not been able to resist the temptation to rush into print; and, accordingly, carping criticisms have been written by the light of after events, and even histories of the war attempted by persons who imagined that the distinctness of their vision was enhanced by distance from the scene of conflict, and an exemption from the disturbing elements of whistling bullets and bursting shell. Perhaps other writers of the same class may follow, and various speculations be indulged in as to the cause of our disasters. As for myself, I have not undertaken to speculate as to the causes of our failure, as I have seen abundant reason for it in the tremendous odds brought against us. Having had some means of judging, I will, however, say that, in my opinion, both President Davis and General Lee, in their respective spheres, did all for the success of our cause which it was possible for mortal men to do, and it is a great privilege and comfort for me so to believe and to have been able to bring with me into exile a profound love and veneration for those great men.

In regard to my own services, all I have to say is, that I have the consciousness of having done my duty to my country, to the very best of my ability, and whatever my fate, I would not exchange that consciousness for untold millions. I have come into exile rather than submit to the yoke of the oppressors of my country; but I have never thought of attributing aught of blame or censure to those true men who, after having nobly done their duty in the dreadful struggle through which we passed, now that it has gone against us, remain to share the misfortunes of their people, and to aid and comfort them in their trials; on the contrary, I appreciate and honor their motives. I have not sought refuge in another land from insensibility to the wrongs and sufferings of my own country; but I feel deeply and continually for them, and could my life secure the redemption of that country, as it has been often risked, so now it would be as freely given for this object.

There were men born and nurtured in the Southern States, and some of them in my own State, who took sides with our enemies, and aided in desolating and humiliating the land of their own birth, and of the graves of their ancestors. Some of them rose to high positions in the U. S. Army, and others to high civil positions. I envy them not their dearly bought prosperity. I had rather be the humblest private soldier who fought in the ranks of the Confederate army, and now, maimed and disabled, hobble on his crutches from house to house, to receive his daily bread from the hands of the grateful women for whose homes he fought, than the highest of those renegades and traitors. Let them enjoy the advantages of their present positions as best they may! for the deep and bitter execrations of an entire people now attend them, and an immortality of infamy awaits them.

As for all the enemies who have overrun or aided in overrunning my country, there is a wide and impassable gulf between us, in which I see the blood of slaughtered friends, comrades and countrymen, which all the waters in the firmament above and the seas beneath cannot wash away. Those enemies have undertaken to render our cause odious and infamous; and among other atrocities committed by them in the effort to do so, an humble subordinate, poor Wirz, has been selected as a victim to a fiendish spirit, and basely murdered under an executive edict, founded on the sentence of a vindictive and illegal tribunal. Let them continue this system! they are but erecting monuments to their own eternal dishonor, and furnishing finger-posts to guide the historian in his researches. They may employ the infamous Holt, with his "Bureau of Military Justice," to sacrifice other victims on the altars of their hatred, and Provost-Marshals and agents of the "Freedmen's Bureau" may riot in all the license of petty tyranny, but our enemies can no more control the verdict of impartial history than they can escape that doom which awaits them at the final judgment.

During the war slavery was used as a catch-word to arouse the passions of a fanatical mob, and to some extent the prejudices of the civilized world were excited against us; but the war was not made on our part for slavery. High dignitaries in both Church and State in Old England, and Puritans in New England, had participated in the profits of a trade by which the ignorant and barbarous natives of Africa were brought from that country and sold into slavery in the American Colonies. The generation in the Southern States which defended their country in the late war was found among them, in a civilized and christianized condition, 4,000,000 of the descendants of those degraded Africans. The Almighty Creator of the universe had stamped them indelibly with a different color and an inferior mental and physical organization. He had not done this from mere caprice or whim, but for wise purposes. An amalgamation of the races was in contravention of his designs, or he would not have made them so different. This immense number of people could not have been transported back to the wilds from which their ancestors were taken, or if they could have been, it would have resulted in their relapse into barbarism. Reason, common sense, true humanity to the black, as well as the safety of the white race, required that the inferior race should be kept in a state of subordination. The condition of domestic slavery as it existed in the South, had not only resulted in a great improvement in the moral and physical condition of the negro

race, but had furnished a class of laborers as happy and contented as any in the world, if not more so. Their labor had not only developed the immense resources of the immediate country in which they were located, but was the main source of the great prosperity of the United States, and furnished the means for the employment of millions of the working classes in other countries. Nevertheless, the struggle made by the people of the South was not for the institution of slavery, but for the inestimable right of self-government, against the domination of a fanatical faction at the North; and slavery was the mere occasion of the development of the antagonism between the two sections. That right of self-government has been lost, and slavery violently abolished. Four millions of blacks have thus been thrown on their own resources, to starve, to die, and to relapse into barbarism; and inconceivable miseries have been entailed on the white race.

The civilized world will find, too late, that its philanthropy has been all false, and its religion all wrong on this subject; and the people of the United States will find that, under the pretence of "saving the life of the nation, and upholding the old flag," they have surrendered their own liberties into the hands of that worst of all tyrants, a body of senseless fanatics.

When the passions and infatuations of the day shall have been dissipated by time, and all the results of the late war shall have passed into irrevocable history, the future chronicler of that history will have a most important duty to perform, and posterity, while pouring over its pages, will be lost in wonder at the follies and crimes committed in this generation.

My narrative is now given to the public, and the sole merit I claim for it is that of truthfulness. In writing it I have received material aid from an accurate diary kept by Lieutenant William W. Old, aide to Major-General Edward Johnson, who was with me during the campaign in Maryland and the Shenandoah Valley, until the 12th of August, 1864, and the copious notes of Captain J. Hotchkiss, who acted as Topographical Engineer for the Second Corps and the Army of the Valley District, and recorded the events of each day, from the opening of the campaign on the Rapidan in May, 1864, until the affair at Waynesboro, in March, 1865.

J. A. EARLY.

NOVEMBER, 1866.

## OBITUARY.

BREVET LIEUTENANT-COLONEL WM. J. FETTERMAN.

The following is a brief summary of the military history of Captain Wm. J. Fetterman, Eighteenth U. S. Infantry, Brevet Lieutenant-Colonel U. S. Army, who was in command of the detachment which was massacred by the Indians in the vicinity of Fort Philip Kearny, Dakota Territory:

Captain William J. Fetterman was born in Connecticut and appointed from Delaware. His original entry into the service was May 14, 1861, as First Lieutenant Eighteenth U. S. Infantry; he was promoted to a captaincy October 25, 1861. Reported for duty with his regiment July 6, 1861, and was stationed on Regimental Recruiting Service in Ohio, from then until November 28, 1861; he was subsequently assigned to Company A, Second Battalion, Eighteenth U. S. Infantry, and left Camp Thomas, Columbus, Ohio, in command of his company for the front December 1, 1861; he remained in command of his company until April 28, 1863, when he was ordered on Regimental Recruiting Service, and stationed at Pittsburgh, Pa., where, for a time, he also performed the duties of mustering officer. He was relieved from recruiting service at his own request 20th March, 1864, and joined his company in the field. Commanding the Second Battalion, Eighteenth Infantry, until July, 1864, when he was detailed as Acting Assistant-Adjutant-General of the Regular Brigade, serving in the Fourteenth Corps; Captain Fetterman remained on that duty until June, 1865, when he was again ordered on regimental, and later, on general recruiting service, and stationed for a time at Camp Thomas, Columbus, Ohio, and later at Cleveland, Ohio. The Captain was relieved from general recruiting service in September, 1866, and ordered to join his company at Fort Philip Kearny, Dakota Territory, near which place he is reported to have been killed by Indians on the 21st or 22d December, 1866, but a short time after his arrival at that post. Captain Fetterman, who originally belonged to the Second Battalion of the Eighteenth Infantry, which by the reorganization of the Army, became the Twenty-seventh U. S. Infantry, participated in the following actions during the war, viz.: Siege of Corinth, Miss., April and May, 1862, as company commander; battle of Chaplin Hill, Ky., October 8, 1862, as company commander; battle of Stone River, Tenn., December 31, 1862, to January 3, 1863, as company commander; battle of Resaca, Ga., May 13 and 16, 1864, as battalion commander; battle of New Hope Church, Ga., May 27 to June 5, 1864, as battalion commander; battle of Kenesaw Mountain, Ga., June 12 to July 3, 1864, as battalion commander; battle of Smyrna Church, Ga., July 4, 1864, as battalion commander; battle of Peach Tree Creek, Ga., July 20, 1864, siege of Atlanta, from July 21 to August 18, 1864, battle of Utoy Creek, Ga., August 7, 1864, and battle of Jonesboro, Ga., September 1, 1864, as Acting Assistant-Adjutant-General of the Regular Brigade of the Fourteenth Army Corps. In addition to these he participated in the following minor engagements, viz.: October 6, 1862, with the Rebel rearguard from Springfield to Texas, Ky.; March 2, 1863, with the Rebel cavalry near Eagleville, Tenn.; May 9th to 11th with the enemy at Buzzard Roost Gap, Ga.; and, August 4, 1864, with the Rebel outposts and cavalry near Utoy Creek, Ga. Captain Fetterman was at the end of the war brevetted major for great gallantry and good conduct at the battle of Stone River, Tenn., and lieutenant-colonel for great gallantry and good conduct displayed during the Atlanta campaign. All who knew him, and all who have met him became his friends, and his loss will long be mourned by his brother officers. Colonel Fetterman was a brave soldier, a true friend, a man full of kind and noble impulses, and in him the service has lost an honorable and useful member, his regiment an efficient officer, his comrades a true and cherished friend.

## ARMY AND NAVY PERSONAL.

THE Post of Jeffersonville, in the State of Indiana, has been annexed to the Department of the Tennessee.

MAJOR-GENERAL O. O. Howard returned to Washington from a tour of inspection through the South on the 9th instant.

BREVET Brigadier-General Rufus Saxton, Quartermaster U. S. A., arrived at Washington on the 8th instant from Buffalo, New York.

BREVET Brigadier-General James F. Rueling, Assistant Quartermaster, reported at Fort Vancouver, Washington Territory, December 1st.

BREVET Major-General W. B. Hazen, Colonel Thirty-eighth U. S. Infantry, has passed the Examining Board which assembled in New York.

SECOND Lieutenant James S. Power, Sixteenth Regiment Veteran Reserve Corps, has been mustered out and discharged the service of the United States.

LEAVE of absence for twenty days, with permission to leave the Department of the Gulf, has been granted Second Lieutenant George R. Stearns, Tenth U. S. Colored Artillery (heavy).

CHARLES Brewster, Second Lieutenant Seventh U. S. Cavalry, passed his examination before the Examining Board in Washington, for the cavalry arm of the service, on January 2d.

MAJOR G. W. Schofield, Forty-first U. S. Infantry, having completed the duties connected with his regiment which brought him to New Orleans, has been ordered to return to Baton Rouge, La.

The leave of absence granted Captain A. J. McGonnigle, Assistant Quartermaster U. S. Army, in Special Orders No. 100, current series from Headquarters Department of the Gulf, has been extended five days.

MAJOR-GENERAL Meade, commanding Department of the East, has announced Brevet Brigadier-General R. C. Drum, Assistant Adjutant-General U. S. Army, as Assistant Adjutant-General of the Department.

MAJOR W. H. Danilson, One Hundred and Twenty-eighth U. S. Colored Troops, has been appointed a first lieutenant in the Regular Army, and assigned to duty with the Forty-fifth U. S. Infantry, recruiting in Washington.

BREVET Lieutenant-Colonel J. E. Cornelius, Major Fifteenth Regiment Veteran Reserve Corps, has been mustered out and honorably discharged the service of the United States, on account of his services being no longer required.

BREVET Lieutenant-Colonel T. C. English, Major Fifth U. S. Infantry, has been assigned to duty as member of the Board for the examination of officers appointed in the infantry arm of the service, which was ordered to convene in the City of New York.

LIEUTENANT D. A. Irwin, Fourth U. S. Cavalry, having reported at Headquarters Department of the Gulf, in compliance with orders from Headquarters Department of the Missouri, has been ordered to proceed to join his regiment serving in the District of Texas.

THE General Court-martial which convened at Fort McPherson, Nebraska Territory, November 15, 1866, and of which Brevet Lieutenant-Colonel J. K. Mizner was President, has been dissolved by order of Brevet Major-General Cooke, commanding Department of the Platte.

CAPTAIN H. J. Farnsworth, Assistant Quartermaster U. S. V., has arrived at New Orleans from Fort Union, New Mexico, and been ordered to report to Brevet Brigadier-General C. G. Sawtelle, Chief Quartermaster Department of the Gulf, for temporary duty at the depot of New Orleans.

His contract with the Government having been annulled, General Sheridan has ordered the Quartermaster's Department to furnish Dr. Merritt S. Jones, late Acting Assistant Surgeon U. S. Army, with transportation from New Orleans to Gravelly Springs, Alabama, his place of residence.

CAPTAIN Orville Burke, Forty-first U. S. Infantry, has been relieved from further duty with the Thirty-ninth U. S. Infantry, and has been ordered, by virtue of authority from the War Department, to proceed to Huntsville, Alabama, where he will establish a recruiting station and recruit for his regiment.

LIEUTENANT Lewis Johnson, Forty-first U. S. Infantry, has been relieved from further duty with the Thirty-ninth U. S. Infantry, and has been ordered, by virtue of authority from the War Department, to proceed to Huntsville, Alabama, where he will establish a recruiting station and recruit for his regiment.

BREVET Captain William H. Bisbee, First Lieutenant Eighteenth U. S. Infantry, having reported for duty to Brevet Major-General Cooke, commanding Department of the Plate, has been appointed and announced as Aide-de-Camp and Acting Assistant Adjutant-General to the General, to date from the 1st ult.

BREVET Lieutenant-Colonel William W. Rogers, who has been connected with the Freedmen's Bureau for a long time, has been appointed a First Lieutenant in the Forty-fifth Regiment Veteran Reserve Corps. On the completion of his examination he will resume his duties connected with the Freedmen's Bureau.

ACTING Assistant Surgeon A. R. Egbert, U. S. Army, having been invited to appear for examination before the Army Medical Board, sitting in New York City, has been permitted to absent himself from his present duties in the Department of the Gulf for such time as may be absolutely necessary for that purpose, and return.

First Lieutenant William H. Merrill, Forty-Second U. S. Infantry (Veteran Reserve Corps), having passed a satisfactory examination before the Examining Board at Chicago, Illinois, has been ordered to return to Louisville, Kentucky, and resume his former duties in the Bureau of Refugees, Freedmen and Abandoned Lands.

First Lieutenant John Hunter, Tenth U. S. Infantry, was recently tried for "drunkenness on duty," before a General Court martial which convened at Fort Abercrombie,

bie, Dakota Territory, and of which Brevet Major Robert H. Hall, Tenth Infantry, was President, and First Lieutenant Charles H. Davis, Tenth Infantry, was Judge-Advocate.

SECOND Lieutenant Schwartz, Tenth Infantry (recently appointed from the Veteran Reserve Corps), is being tried before a General Court-martial at Fort Snelling, Minnesota, on the charge of playing cards with enlisted men and breach of arrest. Brevet Lieutenant-Colonel J. G. Chandler, Assistant Quartermaster U. S. A., is President of this Court, and First Lieutenant A. W. Hoffman, Tenth Infantry, Judge-Advocate.

The following-named officers have been relieved from further duty with the Thirty-ninth U. S. Infantry, and ordered to proceed without delay to Baton Rouge, La., and report in person to their regimental commander for duty: Lieutenant A. C. Markley, Forty-first U. S. Infantry; Lieutenant James Pratt, Forty-first U. S. Infantry; Captain C. C. Hood, Forty-first U. S. Infantry; Captain D. M. Sells, Forty-first U. S. Infantry.

THE telegraphic instructions of the 21st ult., from Headquarters General Recruiting Service, directing Brevet Major H. H. Baldwin, First Lieutenant Fifth U. S. Artillery, to report to Major-General Butterfield, has been confirmed. He will report to the Commanding Officer, Governor's Island, New York Harbor, for duty to conduct recruits to their regiments. Having performed this duty he will report to his proper station.

ACTING Assistant Surgeon R. H. Kirk, U. S. A., has been relieved from duty with the Sixth U. S. Cavalry, Austin, Texas, and been ordered to proceed to Camp Verde, Texas, and relieve Acting Assistant Surgeon B. B. Miles, U. S. A., serving with the Fourth U. S. Cavalry at that station. So soon as relieved, Acting Assistant Surgeon B. B. Miles will proceed to Austin, Texas, and report to the Commanding Officer Sixth U. S. Cavalry for duty.

CAPTAIN Charles H. Graves, Thirty-fourth U. S. Infantry, having reported at Headquarters Department of Dakota for assignment to duty, in obedience to Special Orders No. 598, of December 1, 1866, from Headquarters of the Army, has been announced as Acting Assistant Inspector-General of that Department. Captain Graves will continue to discharge the duties of Judge-Advocate of the Department, in addition to his other duties.

THE office of the Assistant Judge-Advocate-General, established at Louisville, Kentucky, by General Orders No. 230, of July 16, 1864, has been discontinued. Brevet Brigadier-General William M. Dunn, Assistant Judge-Advocate-General, has been assigned to duty in the City of Washington. The records heretofore sent to Louisville, under General Orders No. 230, aforesaid, will be hereafter transmitted direct to the Judge-Advocate-General at Washington.

THE following is a list of the officers of the Forty-second U. S. Infantry Veteran Reserve Corps, stationed at Hart's Island, New York Harbor: Brevet Major-General J. B. McIntosh, Lieutenant-Colonel Forty-second Infantry, V. R. C.; Brevet Lieutenant-Colonel T. F. Rodenbough, Major; Captains, Charles Ryne and Louis E. Crone; First Lieutenant James Joyes, A. Q. M.; First Lieutenant Theo. Forbes, Acting Adjutant; Dr. Smith, Attending Surgeon; Second Lieutenant Frank Madden.

GENERAL Grant has issued the following order: The Superintendent Mounted Recruiting Service, Carlisle Barracks, Pennsylvania, has been directed to prepare a detachment of such number of recruits of the Mounted Service, U. S. Army, who are or may from time to time become disposable at that post, as will make, with those he may forward under telegraphic instructions of the 2d instant, from this office, four hundred in all, and forward them under proper charge to Fort Leavenworth, Kansas, for the Seventh U. S. Cavalry.

THE following is a list of the officers who have reported at Headquarters Department of the Missouri, Fort Leavenworth, Kansas, for the week ending December 29, 1866: December 26th, First Lieutenant James N. Wheelan, Second U. S. Cavalry, *en route* to Omaha, N. T.; December 27th, Second Lieutenant J. N. McElroy, Second U. S. Cavalry, *en route* to Omaha, N. T.; Captain G. M. Bradley, Assistant Quartermaster U. S. Army, *en route* to Fort Riley, Kansas; Captain E. J. Spaulding, Second U. S. Cavalry, *en route* to Omaha, N. T.

BREVET Brigadier-General J. D. Bingham, Colonel and Inspector Quartermaster's Department, is ordered to proceed, without delay, to Detroit, Michigan, and report to Major-General Hooker, commanding Department of the Lakes, for assignment as Chief Quartermaster of that Department, relieving Brevet Brigadier-General C. H. Hoyt, Colonel Quartermaster's Department, Chief Quartermaster, of his duties, and of all money and property now in his possession. General Hoyt, upon being thus relieved, will proceed to his home and report by letter to the Adjutant-General of the Army.

CAPTAIN Robert G. Welles, Tenth U. S. Infantry, son of Thaddeus Welles, Esq., of Glastenbury, Conn., shot himself through the head on the evening of Dec. 28, in his father's study. He entered the room pistol in hand, threw his left arm around his father's neck, kissed him, and exclaimed, "Farewell," and putting the pistol to his right temple, fired, the ball passing through his head and into the book-case. Lieutenant Welles was twenty-four years of age. Melancholy at the death of his brother last Summer, by the explosion of an engine at Mare Island, California, was believed to be the cause of his rash act.

CAPTAIN and Brevet Major C. C. Dean, Eighty-first U. S. Colored Infantry, having returned from absence without leave, a Board of Investigation was appointed to meet in the city of New Orleans, at the camp of the Ninth U. S. Cavalry, Wednesday, December 26, 1866, at 10 o'clock A. M., or as soon thereafter as practicable, to investigate and report upon the circumstances connected with his sudden disappearance on the 24th of November, 1866. The Board will report upon the facts; will consider his mental condition at the time of leaving; and express an opinion as to whether or not Major Dean should be held accountable for his acts upon that day. Detail for the Board—Major and

Brevet Colonel James F. Wade, Ninth U. S. Cavalry; Brevet Major C. B. White, Assistant Surgeon U. S. Army; Captain and Brevet Major A. W. Greeley, Eighty-first U. S. Colored Infantry. Assistant Surgeon A. W. Merrill, One Hundred and Sixteenth U. S. Colored Infantry, has been detailed as a member of the Board of Investigation appointed by the above order, in place of Brevet Major C. B. White, Assistant Surgeon U. S. Army, who has been relieved.

BREVET Brigadier-General S. Thomas, Inspector and Adjutant-General on the staff of Major-General O. O. Howard, has been mustered out and honorably discharged the service of the United States, to take effect Jan. 8, 1867. General Thomas entered the service at the breaking out of the war as a lieutenant from the State of Ohio. He served with the Army of the Tennessee until the capture of Vicksburg, and as Assistant Commissioner of the Freedmen's Bureau for the State of Mississippi from its organization until ordered to Washington for staff duty. He was identified with all the earlier movements in the Mississippi Valley for the education and care of the Freedmen, having been assigned to that duty by General Grant. He leaves Washington for Janesville, Ohio, where he will resume the practice of law.

A BOARD of Survey was appointed to meet in the city of New Orleans, at the office of Brevet Lieutenant-Colonel E. J. Strang, Assistant Quartermaster, Wednesday, January 2, 1867, at 10 o'clock A. M., or as soon thereafter as practicable, to investigate and report upon the condition of several cargoes of hay received by Colonel Strang from Brevet Major J. L. Woods, Assistant Quartermaster at St. Louis, Missouri, per steamers *Lady Gay*, *W. R. Arthur*, *Luminous*, *Mary E. Forsyth* and *Mississippi*, it being alleged that said hay is not a merchantable article, and that a large portion of it is unfit for issue. The Board will fix the responsibility. Detail for the Board—Captain M. F. Kelley, One Hundred and Sixteenth U. S. Colored Infantry; First Lieutenant Charles H. Roberts, Tenth U. S. Colored Artillery (heavy); Second Lieutenant J. L. Spalding, First U. S. Infantry.

By order of General Sheridan, a General Court-martial was to convene at the Post of Shreveport, Louisiana, at 10 o'clock A. M., on Thursday, the 3d day of January, or as soon thereafter as practicable, for the trial of such persons as may be properly brought before it. Detail for the Court—Major and Brevet Colonel Charles W. Lowell, Eightieth U. S. Colored Infantry; Captain and Brevet Major A. V. Lowell, Eightieth U. S. Colored Infantry; First Lieutenant and Brevet Captain Biddle Boggs, Eightieth U. S. Colored Infantry; First Lieutenant Chandler Robbins, Jr., Eightieth U. S. Colored Infantry; First Lieutenant Frank A. Ham, Eightieth U. S. Colored Infantry; First Lieutenant and Brevet Captain Jas. Gatlin, Eightieth U. S. Colored Infantry; Second Lieutenant and Brevet Captain A. A. Arnold, Eightieth U. S. Colored Infantry. Captain and Brevet Major Louis E. Granger, Eightieth U. S. Colored Infantry, Judge-Advocate.

## THE MARINE CORPS.

SECRETARY Welles in his last annual report approves of the suggestion of Colonel Zeilin, touching the creation of the grade of Brigadier-General U. S. Marine Corps, and a bill to this effect has already been introduced in Congress. It seems but just that some acknowledgement should be made of the services of Marine officers, who have been neglected in the general distribution of brevets and advancement. In a recent issue of the *Philadelphia North American*, the Marine Corps is editorially spoken of as follows:

It is, we think, to be regretted that while in the Army and Navy proper promotions and brevets have been liberally bestowed upon those who have distinguished themselves, no such rewards or compliments have been extended to the officers of the National Marine Corps. And this, we presume, is not attributable to any non-appreciation of the services rendered by this gallant arm of the service, but rather to an imperfect understanding of the fact that the Marine Corps stands by itself as an independent organization, and requires special legislation to place it on a similar footing with the Army and Navy.

The Marine Corps dates from the days of our struggle to extort independence from Britain, and rendered most important service in that first of our National wars, as it did subsequently in the Naval operations against the Barbary corsairs, and in the second war with England. Its valor and discipline were equally conspicuous in the Everglades of Florida and on the ensanguined plains of Mexico. In our recent conflict with Rebellion the corps was largely represented. In the bloody field of the first Manassas battle, and in every important operation along the coast; in that comprehensive plan of repossessing all the coast defences which the Rebels had wrested from us, as well as those which they had themselves constructed—on each of these occasions the marines performed their duty to the uttermost, and contributed largely to the general triumph. Certainly, therefore, those among them who were conspicuous in well-doing should share in the rewards which a grateful country has bestowed upon other participants in the glorious triumph, and which are calculated to nerve the soldier to the highest pitch of emulation in his future contests.

It is no sufficient argument against this act of manifest justice that some officers of the corps itself are indifferent in the matter. This arises from the fact that in the chances of war they had no opportunity to render distinguished service. They were at sea, and could not overtake the flying enemy, or were on duty at some Northern Navy-yard. This was their misfortune, and should not interfere with the regular course of rewards to those whom the fortune of war brought into the presence of the enemy.

We earnestly hope, therefore, that our Congressional Representatives will not overlook truths so evident as these, and that they will at an early day take the subject into favorable consideration, and order those promotions in the Marine Corps which have so justly been awarded to other combatants in the late tremendous conflict.

## FOREIGN NAVAL AND MILITARY ITEMS.

The composition of the new Zouave Corps for the protection of the Pope is said to be very motley both in age and character. They number 2,500, or according to some accounts 2,000, and comprise many smooth-faced lads, some of them even puny in frame, and who it is difficult to believe were very severely inspected with a view to ascertain their fitness for hard service. They number, beside stout, active young men, and a considerable proportion of older ones, bronzed, bearded faces that speak of past experience. The officers are gentlemanly looking, even under the disadvantage of a uniform of a not very *distingué* character. The Zouave dress requires a turban to complete it and make it effective. The small, low-crowned cap which the Papal Zouaves wear assorts ill with the Arab character of the low-cut jacket that leaves the neck bare to the very shoulders. Not only among the officers but among the sergeants, corporals, and privates there are said to be many gentlemen of family and fortune. According to the correspondent of the London *Times*, what appears to be certain is that if there were a rising in Rome the Zouaves would set about repressing it with a will; they must be quite aware that they are disliked, and there are many religious enthusiasts among them who would look upon the Romans, rebellious to the Pope, as sacrilegious paricides. The officers are said to habitually carry revolvers in their pockets, and would be prompt to use them on the first sign of aggression. Here perhaps lies the greatest danger Rome runs. If a Roman were shot his body would be carried through the streets, as the remains of a martyr, and the people would be excited to frenzy. The city contains 6,000 troops, about two-thirds of the Papal army. Most of the rest is at Civita Vecchia, which cannot be left without a guard, though there are not enough troops remaining to keep in good order the provinces which lie close to the border, and are likely to take the dangerous infection of liberty.

In remarkable contrast to other parts of Europe, Russia has just been sending home a part of her troops. In the Imperial Guard the infantry regiments have sent off 600 men each, and the cavalry regiments 100 men. The regiments of the line are only at half their nominal strength. All this may possibly be a blind, to deceive other States, but it is to be remembered that Russia cannot recall these men at need so easily as Prussia could; for the difficulties of collecting an army are greater in the former than in the latter country. The Russian government has no reserve stock of railway cars; indeed there are not enough cars for ordinary traffic, and extraordinary calls could not be met without great difficulty. The Government is said to have lately purchased 60,000 stand of breech-loading arms in America, and beside these 160,000 muzzle-loading muskets are to be converted to breech-loaders. These will be gradually introduced, 20,000 of the American arm in a year, and the muskets in proportion, till the active army of the line is equipped. The Russians claim that the muzzle-loader is still the best gun in the hands of a steady soldier.

The whole question of breech-loaders seems to have come to a hitch in Europe. The French have made 5,000 Chassepot guns, and have concluded to give up this system. The London *Times* says that the Lindner (American) system will probably be adopted. LINDNER is at Stuttgart, where experiments with his invention are going on for the benefit of the Governments of Bavaria, Wurtemburg, and Hesse Darmstadt, which will probably conclude to accept the arm. Thus the French are as backward as any. Servia and Greece are still purchasing old muzzle-loaders. In Austria nothing has been done toward obtaining a supply of breech-loaders, except to prepare a few models. The arm most in favor is the Remington, with an improvement by DAW. But repeated experiments have brought it into discredit, and the conversion of the old Austrian rifles on LINDNER's plans is now talked of.

By direction of the President, a Board to retire disabled officers, in pursuance of the act of Congress of the 3d of August, 1861, will convene at San Francisco, California, on the 5th day of February, 1867, or as soon thereafter as practicable, for the examination of such officers as may be brought before it. Detail for the Board: Brevet Major-General IRWIN McDOWELL, Brigadier-General; Brevet Colonel W. H. FRENCH, Lieutenant-Colonel Second U. S. Artillery; Brevet Lieutenant-Colonel CHARLES McCONNICK, Surgeon U. S. Army; Brevet Lieutenant-Colonel C. C. KEENEY, Surgeon U. S. Army; Brevet Brigadier-General J. C. TIDBALL, Captain Second U. S. Artillery. The Board will adjourn on the completion of the cases before it until again called together by the Commanding General Military Division of the Pacific.

THE following officers have presented themselves before the Examining Board in session in Washington, D. C., for examination for the cavalry arm of the service: Captain EDWARD BRYNE, Tenth U. S. Cavalry; Captain JAMES M. WALSH, Tenth U. S. Cavalry; First Lieutenant THOMAS B. WEIR, Seventh U. S. Cavalry; First Lieutenant FRANK Y. COMMAGER, Seventh U. S. Cavalry; First Lieutenant ISAAC F. MOFFATT, Ninth U. S. Cavalry.

## U. S. ARMY AND NAVY JOURNAL.

NEW YORK, SATURDAY, JANUARY 12, 1867.

## NOTICES TO CORRESPONDENTS.

The Editor of this JOURNAL will always be glad to receive from officers in the two services, correspondence and general communications of a character suited to its columns. It is necessary that the name of the writer should, in all cases, accompany his communications, not for publication, but as a guarantee of good faith.

The subscription price of THE ARMY AND NAVY JOURNAL is SIX DOLLARS a year, or THREE DOLLARS for six months, invariably in advance. Remittances may be made in United States funds, or Quartermaster's, Paymaster's or other drafts, which should be made payable to the order of the Proprietors, W. C. & F. P. CHURCH.

Officers are especially requested to give us early notification of all personal matters of general interest; of the movements of vessels and troops, and of all military and naval events.

In directing a change in the address of a paper, care should be taken to give the previous address.

All communications should be addressed to the ARMY AND NAVY JOURNAL, New York.

Subscribers who purpose binding their volumes at the end of the year should be careful to preserve their files of the paper, as we no longer stereotype the paper, and are not able, therefore, to supply all of the back numbers of this volume.

The Editor does not hold himself responsible for individual expressions of opinion, in communications addressed to the JOURNAL.

The postage on the JOURNAL is twenty-five cents a year, payable quarterly in advance, at the office where received.

## MILITARY COMMISSIONS.

IF it be true that the late judicial opinion in the matter of MILLIGAN be the most momentous decision promulgated by the Supreme Court since the great DRED SCOTT case, then doubly momentous is it to our Army and Navy. The DRED SCOTT opinion affected the latter only as citizens and patriots; the MILLIGAN case also touches them professionally, in their acts performed in the line of their duty as soldiers and sailors. It raises a great question whether those of them who sat in military courts, under the order of superiors, may now be molested and made to suffer for doing their duty.

In reading the text of the discrepant decisions just rendered, one is struck by observing that in all the points which strictly and of necessity came before them, all nine judges agreed; it was on points which did not require an opinion that they differed. L. P. MILLIGAN was tried in October, 1864, by order of General HOVEY, before a military commission in Indiana, on the charge of connection with the atrocious conspiracy there detected, whose aim was to overthrow the Government. He was fairly convicted, and sentenced to death; and the Supreme Court says "the petition and exhibits in the record admit his 'guilt.'" The sentence was approved by President JOHNSON in May, 1865, who ordered it to be carried into effect. Instantly, therefore, MILLIGAN sent a petition for discharge to the Circuit Court in Indiana, whence, on a difference of opinion, it was taken up to the Supreme Court.

The ground on which MILLIGAN has triumphed is briefly this: The Congressional act of March 3, 1863, suspended the writ of habeas corpus throughout the United States, and hence gave scope for arrests and imprisonment by martial law. But that act specially provided that the citizens of those States in which "the administration of the laws in the Federal Courts had continued unimpaired" should be entitled to the writ of habeas corpus and to a discharge, provided they should not be indicted by the grand jury. The whole Court decided that, in Indiana, the administration of justice by the Courts had not been impaired; that MILLIGAN had not been indicted by a grand jury; and hence that he must be discharged. By inference, also, they held that the military commission had no right to dispose of MILLIGAN.

Here, then, lay the whole case in a nutshell, and all the judges agreed. But, not content therewith, five of the judges went on with an *obiter dictum*—an opinion by the way—whose purport was that Congress not only did not authorize, but could not have authorized, military commissions in any State wherein the functions of the Federal Courts were undisturbed. That is to say, these five judges hold that even if Congress, instead of refraining from suspending the habeas corpus act in Indiana and the other so-called "loyal States," had positively provided for trials by courts-martial, such legislation would be unconstitutional and void. From this view the other four judges dissented, holding that Congress might legally have provided for such military trials in such "loyal States," if public safety had, in their opinion, required.

While it hardly becomes unprofessional people to tilt against the Supreme Court of the country for its deliberate and harmonious decisions, yet when LL. D.s disagree, the laity must decide. And when, as in the

present case, we find five learned judges of one opinion and four of the other, with the Chief Justice in the minority, it is difficult to conceive of a more equal balance of authority. *A priori*, then, there is little to proselyte us to either side. In fact, we doubt if most reasoning men will be entirely satisfied with either opinion, since while each goes beyond what the case demands of judicial utterance, yet each falls short at all. Moreover, there is everywhere apparent in these decisions, but especially in that of the numerical majority, a natural professional leaning to technicalities and strict constructions, rather than that latitude of meaning which has perforce been popularly given of late to our fundamental laws—a latitude we were driven to by the Rebellion, and which, let us hope, outside of courts, will continue to flourish. It was our exigencies which first disclosed that even the Constitution was not a withe to hamper us, but a staff to stay.

Curiously enough, this written Constitution of ours is invoked as the main source, nay, the sole source, of both the majority and minority opinion. The former quotes the well-known thrice-repeated provision securing the right of a trial of jury, and thereon rests its ease. The latter quotes the provisions under which Congress has power to declare war, and raise, support and govern armies, and on that rests its inferences. Each throws out deprecatory warnings at every step, to bar the suspicion of its calling in question the *ne plus ultra* perfection of the Constitution. The spectacle is only paralleled by diverse sects in theology maintaining their antipodal dogmas by reference to the literal text of the same Scripture; or of the same sect wrangling from the basis of a *dictum* held to be infallible. We admit that it is not the province of a Court to make law, but to interpret it. But it is also its duty to see political facts, and their bearing. The constitutional authority of the Government to put down certain forms of Rebellion appears to be matter of endless dispute—at all events of dispute not ended yet. But that the sovereign will of the Nation—from which alone the written Constitution derives its authority—was to forcibly put down the Rebellion, is a notorious fact. It is no more clear, even judicially, that the written Constitution must be received as the expression of the will of the sovereign people, than that this same will demanded the overthrow of the Rebellion by military force. Hence, instead of the Constitution being the sole guide of the Supreme Court, this other more recent expression of sovereign will should have been equally its guide. On this great point, neither opinion of the Supreme Court can be satisfactory to the people.

Where was it the will of the sovereign that military force should be exercised? In Louisiana, but not in Maine? In Virginia, but not in Indiana? No; but wherever the Rebellion should disclose itself.

It is seldom that this clear exercise of the sovereign will can rise to the certainty of notorious fact, and hence seldom that a judicial court can take cognizance of it; yet all history shows that some such rare instances there are; and mainly, if not wholly, they are seen when a nation struggles for very existence. Such a struggle for life was our late war of secession. It was for life that the Nation, the author of the Constitution, was at war within its own domain. Hence it follows that, to the extent of maintaining its own existence, war became a part of the Constitution. The usages of war might lawfully have gone beyond the written Constitution. And if so, those usages of war should now be recognized by the civil power of the Nation.

The will of the sovereign people in the late struggle was identical with the acts both of the executive and legislative parts of the Government, in respect to putting down the Rebellion by military force whenever it might show itself. Under the exception in the act passed by Congress suspending the habeas corpus, MILLIGAN appears to have had a claim to liberty. Here the Court ought to have stopped. But we believe that, even in the absence of an act of Congress, the Courts might have recognized the jurisdiction of military law, and *a fortiori* Congress might have established it anywhere. Nay, more, it would have been the duty of the Courts to so recognize it.

It will be said, of course, that the doctrine just suggested is dangerous. It will be said that it is too fickle and uncertain for practice. These are the

obvious, but superficial objections. The real danger is in forgetting the supreme majesty of the sovereign people, when evoked and palpably acting directly, instead of acting mediately through its written statutes of the past. The Constitution and the Court are secondary, and the sovereign power is primary. Nor is this exhibition of the ultimate sovereign power, ordinarily dormant, an uncertain manifestation. Once only in our history has it been so seen that to deny it constituted treason—may it never be evoked again. We repeat that there is, in the present instance, no such thing as confounding this manifestation of sovereign will with the froth of party politics.

It is proper, also, to object to the majority opinion, because it seems based upon that exploded States' rights theory which defines the metes and bounds of the Rebellion by geographical lines. The will of the Nation, in the late struggle, was to establish martial law, not in such and such States, but wherever, North or South, efforts were made to destroy its life, by co-operation with the Rebellion. The majority opinion insists much upon a strict construction of the words, "State in which the administration of justice 'by the Federal Courts has continued unimpaired.'" But it is very important to know who shall judge of this fact. The Supreme Court takes it for granted that the judiciary, local or national, shall decide. Now, in the view of the judiciary, everything is peaceable until their constables are actually prevented from serving process, their *posse comitatus* dispersed, their jails forced, or their court-rooms mobbed. A hostile army within a day's march of the seat of justice, a conspiracy ready to flame out in an hour, yet, technically, the courts are safe as before. This is the reasoning of the closet, not of the camp. Not improbably, but for the prompt steps of our soldiers, nay, but for the very military commission now condemned, the judges who claim to have "administered justice unimpaired" might have been driven from their benches. While they were waiting for an overt act against the dominion of the courts, the Republic might have been ruined. Had a conspirator been summoned before a civil court, the court-house might, conceivably, have been suddenly sacked by his associates. The habeas corpus was suspended and martial law proclaimed, under the authority of the Nation, because now it was only soldiers, not lawyers, who could judge of danger, and who could comprehend prevention of treason as distinct from punishment of treason. Or, suppose the Indiana judges had been disloyal, might not, technically, the courts have gone through the routine of their functions, and the country have been substantially ruined?

THE last French soldier has left Rome; the flag of the Empire has been hauled down from San Angelo, and the Papal ensign run up; the seventeen years and more of French policing and protecting the Holy See are ended. One would say there is something ominous and prophetic in this abandonment; for it is France who assisted and arranged the beginning, as it does now the approximate ending, of the Pope's temporal power. It was PEPIN, King of France, who, eleven centuries ago, first conferred terrestrial dominion on the Bishop of Rome, by bestowing on Pope STEPHEN II. the exarchate of Ravenna. PEPIN, ancestor of CHARLEMAGNE, and first of the Carlovingians, was also, be it observed, an usurper, who had lawlessly seized the crown of France—but we pursue no simile here. When we find, however, the panegyrist of the Carlovingians abandoning the temporality they created, it is an augury that the end of the latter is nigh. The language of the French Press, in depicting this moribund authority, runs thus: "A decrepit Power, destined in its turn to disappear under the great current," and therefore it is that France "abandons the mundane power of the Papacy."

We received last week, through the politeness of Midshipman C. H. WEST, an invitation to attend the ball given at the Naval Academy, Annapolis, on Tuesday evening, January 8, 1867, which, however, we were unable to accept. The invitations were gotten up with great taste; the monogram of the class, viz., an anchor, bearing the figure "67," and the inscription "*Toujours Unis*," being exceedingly chaste and unique. We present our compliments to our midshipmen friends, and wish them speedy promotion and a long life to enjoy many such balls as the one they gave Tuesday night.

#### Congress.

THE petitions for an increase of the pay of Army officers continue to be presented almost daily. General GRANT, General MEADE, and a large number of other prominent Army officers have also memorialized Congress for the passage of a law continuing the service or *longevity* ration to officers on the retired list of the Army. The memorial was referred to the Military Committee.

In the Senate, Mr. SUMNER presented a resolution instructing the Judiciary Committee to inquire if any further legislation is necessary to prevent the enslavement of the Indians or any system of peonage in the Territory of New Mexico. Mr. SUMNER said the extent to which peonage and slavery of Indians was carried on in the Territory of New Mexico was greater than Senators were aware of. He read from the Report of the Commissioner on Indian Affairs concerning the treatment of captive Indians, in support of his resolution. It appeared from this report, he said, that officers of the United States Army held captured Indians in a state of peonage, and it was to this he directed attention. Mr. CONNESS said the administration of military affairs in the Territory of New Mexico had been a shame and a disgrace for years. He had made efforts for reformation, but without avail. He had evidence in his possession that the officer referred to by Mr. SUMNER was personally interested in leasing and letting to the Government the houses occupied by the Army. He hoped the resolution would be adopted. Mr. TRUMBULL thought the resolution, as it related to officers in the Army, ought to be referred to the Military Committee, or as it referred to Indians, it ought to go to the Committee on Indian Affairs. It more properly belonged to either of them than to the Judiciary Committee. By common consent the resolution was changed to make the inquiry by the Military Committee, and so adopted.

Mr. LANE reported from the Committee on Pensions, bills granting pensions to the widows of deceased Union soldiers of East Tennessee who were hung by the Rebel authorities during the war, when caught in the act of burning a bridge near Knoxville. The pension in each case is \$8 per month, and dates from the 8th of November, 1861. He also reported favorably the House bill providing that the pensions of widows of Revolutionary soldiers, married to such soldiers prior to January, 1800, shall be increased, and paid at the same rates as the soldiers would be entitled to if now living, such payment to date from September 30, 1865.

A resolution from the Printing Committee for the printing of 1,000 copies of the Navy Register for 1866 was adopted. A communication was received from the PRESIDENT, transmitting a statement from the Secretary of the Navy, with accompanying documents, in answer to a resolution of the Senate, directing the Secretary to communicate all orders, instructions and directions relative to the employment of officers and other employés in the Navy-yards of the United States, and also copies of communications issued or received in relation to similar employés at the Norfolk Navy-yard. It was referred to the Committee on Naval Affairs.

In the House, the introduction of a bill, by Mr. PAINE, for organizing, arming and disciplining the Militia, is one of the most important things to report. Mr. PAINE's bill is published entire in another part of the JOURNAL. It deserves careful attention.

The House has promptly taken up the Indian question. The Committee on Indian Affairs has been instructed to inquire into the circumstances of the reported massacre of three officers and ninety-one enlisted men at Fort Philip Kearny, on the 21st of December, and whether the continual commission of outrages by Indians is in consequence of mismanagement or improper conduct by Government officials and citizens. Also to inquire into the expediency of providing for an immediate or early transfer of the superintendency of Indian affairs to the War Department. Mr. KASSON has introduced a bill to provide for this transfer.

The Fortification Appropriation Bill has been introduced, read twice and referred to the Committee of the Whole. The following are the sums appropriated: For Fort Wayne, Mich., \$50,000; Fort Ontario, \$30,000; Fort Montgomery, at the outlet of Lake Champlain, \$40,000; Fort Scammel, Portland, \$100,000; Fort Winthrop, Boston, \$100,000; Fort Warren, Boston, \$50,000; Fort Sewall, at Great Brewster's Island, \$25,000; for sea-walls on Deer and Lovell's Islands, Boston, \$25,000; Fort at New Bedford harbor, \$100,000; Fort Schuyler, New York, \$75,000; Fort at Willett's Point, \$50,000; Fort on site of Fort Tompkins, \$50,000; Fort Popham, Maine, \$50,000; Fort at Sandy Hook, \$75,000; repairs on Fort Mifflin, \$15,000; Fort Washington, Potomac River, \$25,000; Fort Monroe, \$100,000; Fort Taylor, Florida, \$50,000; Fort Jefferson, Tortugas, \$50,000; Ship Island Mississippi, \$20,000; Fort Clinch, Florida, \$50,000; Fort Point, California, \$50,000; Fort at Alcatraz Island, California, \$100,000. For construction of permanent platforms for modern

cannon, \$100,000; for survey of Northern and North-western Lakes, \$155,000; for purchase of sites for permanent sea-coast defences, \$50,000. There are no appropriations for other fortifications.

The Military Academy appropriation bill was also read twice, and referred to the same Committee.

Mr. SCHENCK has introduced a bill to continue the Army and Navy pensioners, notwithstanding their appointment to civil office. It was read twice, and referred to the Committee on invalid pensions.

Mr. FARQUHAR introduced a bill to annul the act of July 16, 1862, establishing and equalizing the grades of line officers of the Navy. It was read twice and referred to the Committee on Naval Affairs.

Mr. HILL introduced a bill, supplementary to the Civil Appropriation bill of the last session, to entitle soldiers to the bounty therein provided, if discharged by reason of sickness incurred in the line of duty; and also to provide for the accidental loss of discharge papers, by authorizing the Secretary of War to receive proof of the discharge. It was read twice and referred to the Committee on Military Affairs. The bill allows \$8 25 per month for time of service, deducting all Government, State, and local bounty. General SCHENCK, who has charge of the bill, intends to call it up and urge its passage at an early day.

On the motion of Mr. INGERSOLL, the Committee on Military Affairs was directed to inquire into the propriety of amending the law providing for compensation to the owners of horses killed in battle, etc., so as to make it apply to all horses lost, killed or disabled while in actual service and in the line of duty. Leave of absence was given the members of the Committee on Naval Affairs in order that they might go to Philadelphia and inquire into the circumstances of the destruction by fire of the new *Iron-sides* at League Island. The Committee on Naval Affairs was instructed to inquire into the expediency of so amending the Bounty act as to make it apply to seamen and marines of the Navy.

A petition was presented from many citizens of Fulton and Saratoga Counties, New York, praying for an appropriation of \$1,000 a year to SAMUEL DOWNEY, the only surviving soldier of the American Revolution. A memorial was presented from the Rev. W. H. FURNESS, GEORGE CADWALLADER, DANIEL SMITH, JR., and other citizens of Philadelphia, asking that the repeal of the law which retires officers at a certain age may be considered, and that no retirement may be made without the report of a board of examination.

The Secretary of War was requested to communicate information in regard to contracts for firearms, rifles, carbines and pistols made since April 5, 1864, whether any such contract has been settled, and if so on what conditions. A resolution directing the Secretary of War to communicate the reports of the tour of inspection made last season by generals of the United States Army, in so far as they relate to the affairs of Utah Territory, was referred to the Committee on Territories. A resolution decaring that the House will not consent to the appropriation of the first dollar for payment for property destroyed by the Union Army while engaged in putting down the Rebellion, was referred to the Committee on Appropriations.

Executive communications have been received from the Secretary of War, in answer to a House Resolution of the 17th of December, transmitting the report of the Chief of Engineers respecting the improvement of Chicago Harbor; in answer to a House resolution of Dec. 5th, transmitting portions of General BABCOCK's report of inspection of military posts made during the last season; in answer to House resolution of Dec. 6th, transmitting information respecting the protection of the routes across the continent to the Pacific from molestation by hostile Indians.

THE following is a list of officers examined during the past ten days before the Board convened in New York to examine officers in the infantry arm of the service: Captains G. L. CHOISY, Fortieth; C. N. W. CUNNINGHAM, Thirty-eighth. First Lieutenants C. T. WITHERELL, Twenty-eighth; G. HILL, Forty-second; EDWARD RICE, Fortieth; J. KELLY, Forty-second; A. G. BRADY, Forty-third. Second Lieutenants J. W. HANNAY, Thirty-eighth; C. F. ROE, Twenty-sixth; P. R. HAMBRICK, Forty-fifth; E. C. KNOWER, Forty-fifth; H. B. QUIMBY, Thirty-ninth; J. STOMMEL, Forty-third; G. E. ALBEE, Forty-first; W. M. BOGGS, Thirty-eighth; E. HOPPY, Forty-fourth; M. COURTNEY, Thirty-ninth; F. A. KENDALL, Fortieth.

Brevet Lieutenant-Colonel T. ENGLISH has relieved Brevet Brigadier-General S. EASTMAN, as a member of this Board.

We have received from Messrs. POLLARD & LEIGHTON, of No. 6 Court street, Boston, a very neatly printed copy of the Regulations for the Uniform and Equipments of the United States Navy, as issued by Secretary WELLES, Dec. 1st. The above firm are large dealers in Army and Navy equipments.

## THE FENIAN RAID.

AMONG the documents accompanying the annual report of the Secretary of War and General Grant was the report of Brevet Major-General Wm. F. Barry, Colonel Second U. S. Artillery, Commanding District of Ontario during the Fenian troubles last Summer. We give the report entire:

HEADQUARTERS DISTRICT OF ONTARIO, §  
BUFFALO, N. Y., July 10, 1866.  
Brevet Brigadier General Ruggles, A. A. General, Headquarters Department of the East:

GENERAL:—In compliance with instructions of Major-General Hooker, commanding Department of the East, dated 7th inst., I have the honor to make the report of the operations of the troops under my command in the District of Ontario during the recent Fenian troubles on the northern frontier.

I was assigned to the command of the District by Lieutenant-General Grant in person, June 2d; and subsequently by orders of Major-General Meade, June 3d, and General Orders No. 23, Headquarters of the Department of the East, June 2d, received by me June 4th. The troops which came under my command at that time were Company M, Fourth Artillery, at Erie, Pa., two officers and sixty-eight men; Company E, First Artillery, at Fort Porter, two officers and thirty men; Company F, Fourth Infantry at Fort Niagara, one officer and forty-five men; and Company E, Fourth Infantry, at Fort Ontario, two officers and fifty-six men, in all eight officers and one hundred and ninety-nine enlisted men, effective. The United States steamer *Michigan* was in the harbor of Buffalo under special orders from the Navy Department, and Commander Bryson, United States Navy, her captain, with great promptness placed his ship under my orders for such co-operation as might become necessary. On the 2d of June, Company A, Fourth Infantry, one officer and thirty-two men, arrived in Buffalo from Sackett's Harbor; on the 3d of June, Company C, Fourth Infantry, one officer and sixty men, from Plattsburg; and on the 4th of June, Companies D, H, L and M, First Artillery, five officers and a hundred and sixty-eight men from New York Harbor, making, with those previously named, an aggregate of fifteen officers and four hundred and fifty-nine men, effective. On the 5th of June Company C, Fourth Infantry, was sent back to Plattsburg in compliance with orders of Major-General Meade, and on the 7th of June Companies D and M, First Artillery, were, by orders of Major-General Meade, transferred to the District of the St. Lawrence. On the 4th of June, Captain William A. Howard, United States Revenue Service, voluntarily placed himself and the two revenue cutters *Fessenden* and *Perry* under my orders. The accession to my command of a marine force proved most valuable, and the three armed vessels were employed by me throughout the border difficulties with great advantage to the public interest. By permission of Major-General Meade, I chartered four small steam tugs, upon each of which I placed a howitzer and a detachment of sailors or marines, and kept them cruising night and day. I posted the cutter *Perry* off the harbor of Buffalo, the United States steamer *Michigan* in the Niagara River off Lower Black Rock, and the cutter *Fessenden* in the river off Tonawanda. The lake shore south of Buffalo for ten miles, the Niagara river north of Tonawanda to within two miles of Niagara Falls, and the intervening spaces between the *Michigan* and the two revenue cutters were patrolled by the armed tugs with the addition, at night, of guard boats from the larger vessels. The shore line was thus most thoroughly picketed from Hamburg, Lake Erie, to Schlosser on the Niagara River, the harbor off Buffalo being especially observed to prevent the seizure or departure of any vessels for unlawful purposes.

Major-General Meade arrived in Buffalo on the afternoon of June 4th, and after approving of such measures as I had already taken, and giving me further general instructions in anticipation of more detailed orders, which he informed me I would receive from Headquarters Department of the East, (but which up to the present date have not reached me), he left on the same afternoon for the District of the St. Lawrence.

When I entered upon the command of the District of Ontario, June 2d, the Fenians who had invaded Canada on the night of May 30th under the command of Colonel John O'Neil, had marched into the interior and were engaged with the British forces at a place about eight miles west of Fort Erie, called Ridgeway, or Limestone Ridge. Although this force of Fenians was variously reported to be from fifteen hundred to twenty-five hundred strong, a variety of reasons satisfied me that their numbers did not exceed seven hundred and as they were entirely without reserves or supplies of ammunition, I knew they would require large reinforcements of men and supplies, whatever might be the result of the affair then pending. I therefore gave renewed instructions for increased vigilance on the part of the United States forces under my command. About 4 o'clock p. m. of that day, although, the engagement at Limestone Ridge had resulted in a decided success to the Fenians, they felt it necessary to fall back toward their base, for the requisite supplies. When they marched into the interior their numbers did not permit them to leave any guard at their landing place, and it was occupied during their absence by a detachment of Canadian volunteers, about a hundred strong. The returning Fenians encountered this detachment (unexpectedly, as it would seem, to both parties), but attacked them with much vigor, and in a short time compelled their surrender.

As I anticipated, an attempt was made soon after it became dark to send from Buffalo re-enforcements of men and supplies; but the vessels carrying them were seen and chased by our picket boats, and the attempt proved unsuccessful. A few hours afterward the invading party abandoned the Canada shore, but being discovered by the *Michigan* and her guard boats, after they had succeeded in reaching American waters, they were overtaken and all captured. The party was found to number thirteen officers and three hundred and sixty-seven enlisted men. They were armed and accoutred as infantry, but, with the exception of a small supply in their cartridge boxes, they were without ammunition. The whole was turned over to the civil authorities during the next day.

On the 4th of June, I made a seizure at the office of the

American Express Company, in Buffalo, of twenty boxes of arms, ammunition, etc., believed to be intended for Fenian uses. The boxes were addressed to two prominent Fenians, and were found to contain 317 Mississippi rifles (mostly new), with cartridge boxes, belts, etc., and 25,000 rounds of small-arm ammunition, cal. .54. While these events were transpiring, and during the succeeding four or five days, large numbers of Fenians were arriving in Buffalo by every railway train from the West. On the 8th of June, I was informed by the police authorities of the city that the number here then exceeded 5,000. I have no doubt that there were nearly 3,500.

It is due to these misguided persons to say that their conduct during their stay in Buffalo was exemplary, and gave evidence of a high state of military discipline. Finding it utterly impossible to effect another crossing at this point, and becoming discouraged by the ill-success of their cause at Malone, New York, and St. Albans, Vermont, several hundred of these people left Buffalo for their homes. The remainder applied to me for transportation to their homes at the expense of the United States, representing that they were without money, and thus unable to get home unassisted. I represented the case by telegraph to Major-General Meade, and on the 11th instant received his authority to send them away. I commenced to do so next day, and by the 15th of June had sent off all who remained. The whole number thus transported was 2,460. Many of these men came from St. Louis, Nashville, Memphis, and some even from New Orleans and Texas, but transportation was furnished by me to none beyond St. Louis or Nashville. Among the detachment commanded by Colonel O'Neil were several hundred men who had served during the late war in the Rebel Army, not a few of whom wore their Rebel uniforms, knapsacks and belt plates, when they invaded Canada. On the 13th and 14th of June I discharged all the chartered steam tugs, and on the 15th I informed Commander Bryson, U. S. Navy, and Captain Howard, U. S. Revenue Marine, that I should no longer require the co-operation of their vessels.

I take great pleasure in placing on record the valuable services of these three vessels, and in making my acknowledgments to Commander Andrew Bryson, U. S. N.; Captains William A. Howard, Ottinger, and Henriques, U. S. Revenue Marine, and to their officers and crews, for their active, vigilant and cheerful co-operation.

June 21st in obedience to orders from Headquarters, Department of the East, companies E and H, First Artillery, were sent from Fort Porter to New York Harbor.

At no other point within the limits of the command, with which I was at that time charged, (except in the neighborhood of Buffalo, N. Y.), were any violations of the neutrality laws of the United States attempted.

At Erie, Pa., 81 boxes containing 839 rifled muskets, 1,525 knapsacks, 2,625 cartridge boxes, with cap pouches, bayonet scabbards, waist belts, etc., were seized by Lieutenant-Colonel Mendenhall, Fourth Artillery, under the belief that they were intended for the use of the Fenians. These boxes are still in the custody of Lieutenant-Colonel Mendenhall, and the case is undergoing legal investigation in the civil courts.

At Rochester, N. Y., or rather at Charlotte, its port upon Lake Ontario, an attack, by Fenians upon the Canadian steamers which ply to Toronto, etc., was anticipated. On the 7th of June the United States Collector of Customs telephoned to me for a force to protect them. Having none to detach for this purpose, I requested His Excellency the Governor of New York to order off a company of the 54th Regiment, N. Y. S. National Guard, from Rochester. This request was promptly complied with, and the company was on duty from June 8th to June 13th, five days in all.

I am, General, very respectfully, your obedient servant,

WILLIAM F. BARRY,  
Brevet-Major General U. S. A., Commanding.

## OBITUARY.

CAPTAIN FREDERICK H. BROWN.

THE following is a brief sketch of the military history of Captain Frederick H. Brown, Eighteenth U. S. Infantry, who was one of the officers recently killed by the Indians near Fort Philip Kearny:

Frederick H. Brown, Captain Eighteenth U. S. Infantry, was born in the State of New York, and appointed an officer from the ranks of the Army. He enlisted in the Eighteenth Infantry in July, 1861, was at once made Quartermaster Sergeant of the First Battalion Eighteenth Infantry, and on the 30th October, 1861, appointed Second Lieutenant in the Eighteenth Infantry; March 24, 1862, he was promoted to a first lieutenantcy, and May 31, 1866, to a captaincy. He was appointed Regimental Quartermaster Nov. 4, 1861, and stationed at Headquarters of the regiment, at Camp Thomas, Columbus, Ohio, until Nov. 1863, during which time, in addition to his regular duties, he assisted in the organization of, and also for short periods commanded, the following companies, viz., E and H, First Battalion, G and H, Second Battalion, F, G and H, Third Battalion, and several recruiting companies. Captain, then Lieutenant, Brown was ordered to the field in November, 1863, and joined the Second Battalion of the Eighteenth Infantry on the 4th of December, 1863, taking command of Company G. From December 10, 1863, to February 14, 1864, he was in charge of the National Cemetery, then being commenced at Chattanooga, Tenn. From March 3, 1864, in addition to commanding Company G, he also performed the duties of Quartermaster of the Second Battalion. July 3, 1864, he was relieved from his former duties, and ordered to perform those of Quartermaster of the Detachment Eighteenth Infantry, consisting of the First and Second Battalions. During part of September and October, 1864, he also commanded the Second Battalion, and from November 18, 1864, until February 20, 1865, Company C, Second Battalion of the same regiment. Lieutenant Brown was ordered to Regimental Headquarters, at Camp Thomas, Ohio, May 20, 1865, where he performed the duties of Regimental Quartermaster from June 1, 1865, until shortly before the time of his death. From September 15th until October 26, 1865, he was on Regimental Recruiting Service. In November, 1865, he went with the Regimental Headquarters to Fort Kearny, Nebraska Ter-

ritory. In April, 1866, he was appointed Chief Quartermaster of the Mountain District, Department of the Plate, and accompanied the Headquarters of that District and of his regiment to Fort Philip Kearny, Dakota Territory, near which place he is reported to have been killed by Indians on the 21st or 22d December, 1866. During the war, he participated in the following actions, as company commander, viz.: February 25th and 26, 1864, at Tunnel Hill, Ga.; May 9-11, 1864; at Buzzard Roost, Ga., May 13-16, 1864, battle of Resaca, Ga.; May 27th to June 5, 1864, battle of New Hope Church, Ga.; June 12th to July 3d, battle of Kenesaw Mountain, Ga.; July 4, 1864, battle of Smyrna Church, Ga. As Detachment Quartermaster: July 20, 1864, battle of Peach Tree Creek, Ga.; July 21st to August 18, 1864, siege of Atlanta, Ga.; August 4, 1864, battle of Utoy Creek, Ga. Captain Frederick H. Brown was breveted captain after the war, for great gallantry and good conduct during the Atlanta campaign. Captain Brown was known by many as a kind-hearted and brave soldier. He will long be remembered by officers and men for those personal qualities which endeared him to all his comrades.

## ABSTRACT OF SPECIAL ORDERS SINCE DECEMBER 31, 1866.

DECEMBER 31.—First Lieutenant William H. Merrill, Forty-second U. S. Infantry (V. R. C.), having passed a satisfactory examination before the Examining Board at Chicago, Illinois, will return to Louisville, Ky., and resume his former duties in the Bureau of Refugees, Freedmen and Abandoned Lands.

The leave of absence granted Second Lieutenant T. F. Riley, Twenty-first U. S. Infantry, in Special Orders No. 109, December 23, 1866, from Post of City Point, Va., is hereby extended five days.

JANUARY 2, 1867.—Brevet Lieutenant-Colonel R. I. Dodge, Thirtieth U. S. Infantry, will, as soon as relieved from his present duty by Brevet Major W. R. Pease, U. S. Army (retired), under orders of this date, proceed at once, via Chicago, Ill., and Clinton, Iowa, to Omaha, Nebraska Territory, and report to the Commanding General Department of the Plate, for duty with his regiment.

Second Lieutenant Walter F. Halleck, Twenty-seventh U. S. Infantry, will at once repair to Philadelphia, Pa., and report for examination to Major-General Meade, President of the Retiring Board, convened by Special Orders No. 619, Nov. 27, 1865, from this office.

Brevet Brigadier-General Meyers, Quartermaster, will report in person to the Commanding General, and to the Chief Quartermaster, Military Division of the Missouri, for assignment to duty.

Brevet Major-General Canby, commanding Department of Washington, will put the Thirtieth U. S. Infantry en route for Omaha, Nebraska Territory, via Chicago, Ill., and Clinton, Iowa, to report to Lieutenant-General Sherman.

JANUARY 3.—Leave of absence for three months, to take effect at such date during the present month as the Commanding General Department of Arkansas may direct, is hereby granted Surgeon John Vansant.

Brevet Major Charles B. Atchison, Third U. S. Infantry, will report in person to the Commanding General Department of the Arkansas, for assignment to duty.

Brevet Brigadier-General A. Cady, Colonel U. S. Army, is hereby authorized to draw commutation of fuel and quarters while on duty in New York City, as a member of Court of Inquiry, convened by Special Orders No. 617, Dec. 12, 1866, from this office, provided he is not furnished quarters in kind or commutation thereof elsewhere.

The telegraphic order of the 1st inst., from this office, directing the Superintendent Mounted Recruiting Service, Carlisle Barracks, Pa., to forward two hundred and fifty recruits of the Mounted Service, U. S. Army (via Chicago, Ill. and Clinton, Iowa), to the Second U. S. Cavalry, in the Department of the Plate, is hereby confirmed.

The leave of absence granted Captain Joseph B. Rife, Sixth U. S. Infantry, in Special Orders No. 76, Nov. 25, 1866, from Headquarters Department of the South, is hereby extended four months.

Permission to delay joining his regiment for thirty days is hereby granted Captain S. Weldy, Twenty-third U. S. Infantry.

JANUARY 4.—Leave of absence is hereby granted the following officers: Brevet Colonel G. Bell, Commissary of Subsistence, for four days; Brevet Captain George D. Ramsay, Jr., Ordnance Department, for twenty-five days.

The telegraphic order of the 2d inst., from this office, directing the Superintendent General Recruiting Service to forward three hundred recruits of the General Service, U. S. Army, to Omaha, Nebraska Territory (via Chicago, Ill. and Clinton, Iowa), to report to the Commanding General Department of the Plate, for assignment to the Thirtieth U. S. Infantry, is hereby confirmed.

The telegraphic order of the 2d inst., from this office, relieving Brevet Brigadier-General J. H. Potter, Lieutenant-Colonel Thirtieth U. S. Infantry, from duty at Newport Barracks, Ky., directing him to turn over the command of that post to the next senior officer, and repair to St. Louis, Mo., and report in person to Lieutenant-General Sherman, Commanding Military Division of the Missouri, for orders, is hereby confirmed.

The Superintendent General Recruiting Service will prepare detachments of convenient size of the recruits which are or may from time to time become disposable at the General Recruiting Depots, and forward them successively, under proper charge, to the regiments and batteries hereafter mentioned, serving in the Department of the South, until each is filled, in the order named:

I. Sixth U. S. Infantry, Charleston, S. C., 110 recruits required.

II. Eighth U. S. Infantry, Raleigh, N. C., 170 recruits required.

III. Battery E, Third U. S. Artillery, Hilton Head, S. C., 65 recruits required, to be not less than five feet seven inches in height.

Permission to delay twenty-five days before reporting to his regiment is hereby granted Second Lieutenant Charles Brewster, Seventh U. S. Cavalry.

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Brevet Lieutenant-Colonel E. C. Beman, Commissary of Subsistence of Volunteers, will report in person to the Commissary General of Subsistence, Washington, D. C.

So much of Special Orders No. 539, Oct. 29, 1866, from this office, as granted leave of absence for sixty days, to date from Nov. 14, 1866, to Brevet Major F. U. Farquhar, Corps of Engineers, is hereby amended to read as follows: Permission to avail himself of leave of absence for two months is hereby granted Brevet Major F. U. Farquhar, Corps of Engineers, he never having taken advantage of the three-months leave to which he was entitled as a Cadet of the Military Academy.

## VARIOUS NAVAL MATTERS.

THE steamer *Gettysburg* sailed from the Naval Academy on the 4th instant.

The steamer *Saranac* was at Mazatlan, Mexico, on Nov. 21, and the steamer *Suwanee* at the same place, November 24th last.

The steamer *Aroostook*, Lieutenant Commander Beardslee, sailed from the Navy-yard, New York, on the 6th instant, for the Asiatic squadron.

The supply steamer *Massachusetts*, Acting Master Robert Y. Holley, arrived at the Navy-yard Pensacola, on the 26th ultimo, from New York.

The *Susquehanna*, Commodore James Alden commanding, has arrived at the Navy-yard, New York. She left Vera Cruz Dec. 2d, Tampico 5th, Santiago 16th, New Orleans 24th, and Key West Jan 1st.

THE Spanish Squadron, which sailed from Papete July 1st, has arrived safely at Manila. The *Numancia* and iron-clads *Bereneguela*, *Concordia*, and *Marquis de Vittoria* are all undergoing extensive repairs.

The *Peoria*, Commander O. C. Badger, and the *Penobscot*, Lieutenant-Commander C. E. Fleming, sailed from the Navy-yard, New York, on the 6th inst., the former for Hampton Roads, and the latter for the East Indies.

THE steamer *Sacramento*, Captain N. Collins, arrived at Horta, Island of Fayal, on the 29th of November, thirteen days from Boston, Mass. All on board are well. She sailed on the 3d of December for Teneriffe, by way of Madeira.

DESPATCHES have been received from the United States steamer *Saranac*, under date of Nov. 2, 1866, from Mazatlan, Mexico, and also from the United States steamer *Suwanee*, at the same place, under date of Nov. 24, 1866. All well on both vessels.

COMMANDER Edward Barrett, commanding steamer *Agawam*, in a communication to Rear-Admiral Palmer, commanding North Atlantic Squadron, dated December 19, 1866, reports that he saved the schooner *Marion Gage*, (Sheppard, master), during that week.

THE flagship, *Rhode Island*, Rear-Admiral Palmer, arrived at Fort Monroe, January 6th, from Charleston, returning from an inspection tour to the different vessels of the North Atlantic Squadron Station. She signaled the *Gettysburg* five miles south of Cape Henry, southward bound. The Admiral is ordered north to attend a Court-martial.

CAPTAIN J. R. Goldsborough, commanding the *Shenandoah*, under date of Calcutta, British India, Nov. 14, 1866, reports the arrival of the *Shenandoah* at that port from Point de Galie. Officers and crew all well. Upon his arrival at Calcutta, Captain Goldsborough fired a national salute of twenty-one guns, which was promptly returned, and immediately after paid an official visit to the Consul-General of the United States.

THE U. S. steamer *Don*, which went to sea on January 3d, on a secret mission, having on board Vice-Admiral Porter and Mr. Frederick Seward, returned to Fort Monroe on the 5th inst. She encountered a heavy gale off Hatteras, which carried away her mainmast and loosened her bowsprit. The *Gettysburg*, which brought the "mysterious party" from Annapolis to Fort Monroe, took them on board again, and went to sea on the morning of the 6th inst. Admiral Porter had received painful contusion by being thrown across the cabin of the *Don*. Lieutenant-Commander Chandler was slightly injured. The *Don* went to Norfolk for repairs.

THE Navy Department has received despatches from Captain N. Collins, commanding U. S. S. *Sacramento*, from Horta Island, off Fayal on December 3, announcing his arrival at that point after a run of thirteen days from Boston. Upon arriving there the ship was quarantined, in accordance with instructions from Lisbon, the quarantine to be of unlimited duration, or until the order from Lisbon should be rescinded; the reason for the instructions being the supposed prevalence of cholera at New-York and Philadelphia. Vessels with lumber for the port, or in ballast, arriving for a cargo of fruit, are excepted from the regulations. A merchant vessel arriving from the United States at this time, other than of the above mentioned excepted classes, would be compelled to go to Lisbon before she could be admitted to Corateque. The *Sacramento* intended to leave Horta for Teneriffe, by the way of Madeira.

REAR-ADmirAL H. H. Bell, commanding the Asiatic squadron, has forwarded to the Navy Department a report of the distribution and employment of the vessels in that squadron for last September. The report is dated on board the *Hartford*, at Yokohama, Japan, Oct. 3d: On the 1st of September the *Hartford*, *Wyoming*, and *Wachusett* were at anchor off Yedo, where they had been ordered to give effect to the first appearance there of our new Minister to Japan, and on the 13th of that month the *Wachusett* was despatched to Hong Kong for the protection of American interests in the adjacent waters. She was directed to proceed through the inland sea of Japan, for the purpose of obtaining information for the American Minister with regard to the war going on in that neighborhood between the Tycoon and the Prince of Nagato, the reports through the Japanese authorities being very unreliable. The Prince is believed to have gained considerable advantages, and the Tycoon reported dead. The admiral was to leave shortly for China. The *Wyoming* was detained at Yoko-

hama in consequence of the continued ill health of her crew, a large number of the men having suffered severely with intestinal diseases. The late cold weather, however, has produced a great improvement in their health. The general health of the officers and men of the squadron has greatly improved since the admiral's last report. Captain Goldsborough, commanding the *Shenandoah*, had notified the admiral that he expected to reach Singapore about Dec. 1st. Admiral Bell stated that he had despatched orders to the captain directing him to visit Lyons.

## LIEUTENANT GRUMMOND.

LIEUTENANT Grummond, Eighteenth U. S. Infantry, who was killed in the recent massacre near Fort Philip Kearny, was from Detroit, Mich. The *Advertiser* speaks of him as follows:

Lieutenant George W. Grummond was a brave soldier and has a splendid record. When the Rebellion broke out he went to the field as sergeant in the old First Infantry (three months troops), and when that regiment was reorganized he was commissioned a captain. During the campaign on the Peninsula he contracted severe illness, and on the 14th of July, 1862, resigned at Harrison's Landing. Upon the organization of the Fourteenth Infantry Captain Grummond had recovered from his indisposition, and was appointed major of that regiment, his commission dating March 2, 1863. On the 25th of the same month he was promoted lieutenant-colonel, and when Colonel Mizner was ordered to his regiment in the Regular Army, he took command of the organization. He led the regiment in several sanguinary and bloody conflicts, especially at Bentonville, where the Fourteenth particularly distinguished itself. At this place the regiment leaped out of its works and made a gallant charge against superior numbers, capturing one general officer, the colors of the Fortieth North Carolina Infantry, and many prisoners, beside killing and wounding many Rebels. When the Fourteenth returned home Colonel Grummond was appointed to a lieutenancy in the Eighteenth U. S. Infantry, and when last heard from was in the vicinity where the massacre is said to have taken place.

## THIRTIETH U. S. INFANTRY.

THE Thirtieth U. S. Infantry having turned in their Springfield rifles and received the Spencer rifles, started for Omaha, via Chicago, Illinois, and Clinton, Iowa, on the morning of the 5th inst., under the command of Brevet Major Dallas. The Thirtieth was formerly the Second Battalion Twelfth U. S. Infantry. Brevet Lieutenant-Colonel Bartlett, Captain Thirtieth U. S. Infantry, having recently been assaulted in Washington, D. C., was too unwell to accompany the regiment. According to the latest official returns in our possession, the officers of the Thirtieth are as follows:

Colonel—John D. Stephensen.

Lieutenant-Colonel—Joseph H. Potter.

Major—Richard J. Dodge.

Captains—Alexander J. Dallas, Charles G. Bartlett, Cornelius L. King, Henry C. Morgan, Eugene Wells, David D. Vanvalzah, Edwin M. Coates, Bernard P. Mimmack, Charles H. Whittlesey.

First Lieutenants—Emerson H. Liscum, James Jackson, James S. Tompkins, Appleton D. Palmer, Edgar C. Bowen, John W. Bubb, James H. Spencer, William H. Andrews. Second Lieutenants—Joseph H. Hays, Alexander S. B. Keyes, Benjamin K. Davidson, Patrick H. Breslin, Thomas D. Murrin, Augustus C. Paul, John C. Gilmore, John E. Sweet. Brevet Colonel Dodge, Major of the Thirtieth, is to join his regiment in Omaha.

AN English newspaper says:—"Several beautifully executed models of the various descriptions of iron-clad and other vessels of the English navy have been completed in the modelling department at Chatham dockyard for transmission to the Paris Exhibition, and others are in course of preparation, in readiness for being forwarded to Paris early in the ensuing year, the French Government having placed a considerable space at the disposal of the Admiralty for illustrating the several classes of vessels of war belonging to the English navy. Among the models already completed, or in progress, are those of the *Bellerophon*, *Hercules*, *Warrior*, *Royal Oak*, *Achilles*, *Pallas*, *Blanche*, *Lord Warden*, *Royal Alfred* and some others, each of which represents one class of the vessels composing the navy, prominence being given to the models of iron-clad ships."

It is stated as a singular coincidence that Major-General Grant, a Scotch officer in the British army, defeated General Lee of the American army in 1778, and was afterwards promoted to the rank of lieutenant-general, and died very old in 1806.

## NAVY GAZETTE.

## APPOINTMENTS IN THE NAVY CONFIRMED JANUARY 20, 1866.

## TO BE ENSIGNS IN THE NAVY.

Casper F. Goodrich, Albert G. Caldwell, Charles W. Kennedy, Bowman H. McCalla, French E. Chadwick, Samuel H. Baker, Theodore F. Jewell, C. F. Schmitz, George W. Armentrout, David C. Woodrow, Henry C. White, Francis H. Sheppard, Edward M. Stedman, John C. Kennett, Wm. M. Folger, Horace Elmer, B. P. Lamberton, John Schouler, James B. Weaver, Francis W. Dickens, George F. Wilde, Charles H. Davis, Charles J. Train, George N. Flagg, Edwin White, Oscar F. Heyerman, Herman C. Roebel, George W. Pigman, Samuel L. Wilson and Gustavus V. Menzies, to date from November 1, 1866; and George A. Converse, F. M. Hendricks, R. B. Bradford, C. W. Breed, F. M. Barber, J. E. Neill, C. M. Black, C. D. Griswold, S. Hubbard, G. W. De Long, S. E. Chenevay, E. V. Rowe, T. A. Lyons, E. L. Amory, J. S. Newell, G. M. Hunter, J. E. Craig, L. Belrose, A. H. Fletcher, G. Talcott, Jr., C. M. Thomas, S. P. Board, A. S. Snow, G. C. Reiter, W. Graham, D. N. Bell, R. D. Hitchcock, W. H. Brownson, H. E. Nichols, H. W. Gwinnett, W. W. Mead, F. H. Parker, S. M. Ford, T. P. Wilson, W. H. Elliott, R. C. Hooker, E. S. Houston, B. E. Long, F. M. Gove, G. M. Book, E. B. Thomas, Edwin Longnecker, J. A. Vaughan, M. B. Buford, R. Impay, G. E. Ide, A. H. Vail, J. M. Wilson, T. Perry, C. H. Stockton, O. White, L. A. Kingsley, J. K. P. Ragdale and J. Hazlett, to date from December 1, 1866.

## MASTERS TO BE LIEUTENANTS IN THE NAVY.

Henry Giass, Ernest J. Dichman, W. W. Maclay, Philip H. Cooper, Henry C. Taylor, Allan D. Brown, Marston Miles, George H. Wadeigh, John D. Clark, A. S. Crownshield, Charles H. Cravens, Frank Wildes, Wm. W. Hendrickson, Augustus G. Kellogg, Joseph B. Coghlan, James H. Sands and Yates Stirling, from November 10, 1866.

## ENSIGNS TO BE MASTERS IN THE NAVY.

C. F. Goodrich, A. G. Caldwell, C. W. Kennedy, B. H. McCalla, F. E. Chadwick, S. H. Baker, T. F. Schmitz, G. W. Armentrout, D. C. Woodrow, H. C. White, F. H. Sheppard, E. M. Stedman, J. C. Kennett, W. M. Folger, H. Elmer, B. P. Lamberton, J. Schouler, J. B. Weaver, F. W. Dickins, G. F. F. Wilde, C. H. Davis, C. J. Train, G. N. Flagg, E. White, O. F. Heyerman, H. C. Roebel, G. W. Pigman, S. L. Wilson and G. V. Menzies, from December 1, 1866.

Commodore Thomas T. Craven, to be a Rear-Admiral on the active list, from October 10, 1866.

Captain John M. Birrier, to be a Commodore on the active list from September 26, 1866.

Captain Alfred Taylor, to be a Commodore on the active list from September 27, 1866.

Commander Lewis C. Sartori, to be a Captain on the active list from September 26, 1866.

Captain Simon B. Bissell, to be a Commodore on the active list from October 10, 1866.

Lieutenant R. D. Evans, to be a Lieutenant on the active list from July 25, 1866.

Passed Assistant Surgeon James S. Knight, to be a Surgeon from July 29, 1866.

Passed Assistant Surgeon Henry M. Wells, to be a Surgeon from October 9, 1866.

Joseph G. Ayres, of New Hampshire, to be an Assistant Surgeon from October 8, 1866.

George S. Flie, of New Hampshire, to be an Assistant Surgeon in the Navy from November 10, 1866.

Joseph B. Parker, of Maryland, to be an Assistant Surgeon from November 24, 1866.

Passed Assistant Paymaster Charles P. Thompson, to be a Paymaster from August 1, 1866.

Assistant Paymaster Albert W. Bacon, to be a Passed Assistant Paymaster from August 1, 1866.

Assistant Paymaster F. Clarence Inlay, to be a Passed Assistant Paymaster from November 7, 1866.

Assistant Paymaster Rufus S. McConnell, to be a Passed Assistant Paymaster from November 27, 1866.

Third Assistant Engineer J. M. Clarke, to be a Second Assistant Engineer from July 25, 1866.

Third Assistant Engineer Henry M. Slosson, to be a Second Assistant Engineer from August 1, 1866.

Third Assistant Engineer A. W. Morley, to be a Second Assistant Engineer from October 11, 1866.

S. Wilkins Clegg, to be a First Assistant Engineer from July 25, 1866.

Commodore Melancton Smith, to be Chief of the Bureau of Equipment and Recruiting, in the Navy Department, from September 17, 1866, vice Commander A. N. Smith, deceased.

## REGULAR NAVAL SERVICE.

## ORDERED.

DECEMBER 31.—Surgeon P. S. Wales, to temporary duty at the Naval Hospital, Norfolk, Va.

## DETACHED.

JANUARY 2.—Lieutenant-Commander Henry B. Rumsey, Master Francis Morris, and Ensign Isaac Hazlett, from duty on board the *Monongahela*, and placed on waiting orders.

JANUARY 4.—Surgeon Somersett Robinson, from duty on board the *Saracan*, and ordered east.

Passed Assistant Surgeon F. L. Du Bois, from duty on board the *Jamestown*, and ordered to the *Fredonia*.

Passed Assistant Surgeon E. S. Matthews, from duty on board the *Fredonia*, and ordered to the *Saracan*.

## VOLUNTEER NAVAL SERVICE.

## ORDERED.

JANUARY 2.—Acting Master John V. Cook, and Acting Ensign Lewis Kinney, to iron-clad duty at New Orleans, La.

JANUARY 4.—Acting Ensign James B. Russell, to duty on board the supply steamer *Memphis*.

DECEMBER 31.—Acting Volunteer Lieutenant George R. Durand, from duty on board the *Penobscot*, and ordered to the *Ossocla*.

Acting Volunteer Lieutenant L. G. Vassallo, from duty on board the *Ossocla*, and ordered to the *Penobscot*.

Acting Ensign A. D. Campbell, from duty on board the *Memphis*, and ordered to the *Peoria*.

JANUARY 2.—Acting Master James McGowan, Jr., from duty on board the *Monongahela*, and placed on waiting orders.

JANUARY 4.—Acting Ensign Oliver Swain, from duty at League Island, Pa., and placed on sick leave.

Acting Assistant Surgeon E. T. Marsh, from duty on board the *Farallones*, and ordered to the *Jamesstown*.

Acting First Assistant Engineer Daniel S. King, from iron-clad duty at New Orleans, La., and ordered north.

JANUARY 5.—Mate Fred. T. Velckers, from duty on board the receiving ship *Vermont*, and ordered to the supply steamer *Memphis*.

## RESIGNATION ACCEPTED.

DECEMBER 31.—Acting Ensign William B. Mix, of the *Peoria*.

## APPOINTMENT REVOKED.

JANUARY 5.—Mate Thomas Wilson, of the steamer *Conemaugh*.

## DESERTED.

Mate Thomas Newton, from the *Paul Jones*, November 27, 1866.

## LIST OF VOLUNTEER NAVAL OFFICERS

Who have been honorably discharged from the service of the United States since last report:

Acting Master George W. Hyde, January 2d.

Acting Ensign J. E. N. Graham, January 2d.

Acting Gunner Eugene P. Palmer, December 1st.

## LIST OF DEATHS

In the Navy of the United States, which have been reported to the Chief of the Bureau of Medicine and Surgery, for the week ending January 5, 1867:

John H. Fitzpatrick, marine, December 28th, Marine Barracks, Washington.

Alexander McDonald, marine, September 12th, U. S. steamer *Hartford*.

William G. Mulholland, seaman, January 4th, Naval Asylum, Philadelphia.

## ARMY GAZETTE.

## MEDICAL DEPARTMENT.

## DISCHARGED FROM THE SERVICE.

Hospital Steward William Wuerz, U. S. Army.

## MISCELLANEOUS.

Hospital Steward Louis Planitz, U. S. Army, now on duty at De Camp General Hospital, David's Island, New York Harbor, has been detailed for duty at the Army Medical Board, New York City, of which Surgeon Joseph B. Brown, Brevet Brigadier-General U. S. Army, is President.

Hospital Steward William H. Wiley, U. S. Army, now on duty at De Camp General Hospital, David's Island, New York Harbor, has been ordered to report to the commanding officer at Fort Niagara, N. Y., for duty at that post.

## CHEVRONS OF A QUARTERMASTER-SERGEANT.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,

WASHINGTON, December 31, 1866.

General Orders No. 100

Paragraph 1,579, Revised Army Regulations of 1863, is modified to read as follows:

For a Regimental Quartermaster-Sergeant.—Three bars, and a tie of three bars, in silk.

For a Company Quartermaster-Sergeant.—Three bars, and a tie of one bar, in worsted.

By order of the Secretary of War.

E. D. TOWNSEND, Assistant Adjutant-General.

## MARINE CORPS.

CHANGES DURING THE MONTH OF DECEMBER, 1866.

*First Lieutenant Henry B. Lowry.*—Detached from the receiving ship *New Hampshire* on the 19th inst., and ordered to proceed to Boston and report for duty. Reported on the 25th inst.

*First Lieutenant F. H. Corris.*—Detached from the Gosport, Va., Barracks on the 21st, and ordered to report himself as the officer detailed to relieve Lieutenant Lowry from the command of the Marines on board the receiving ship *New Hampshire*. Reported on the same day.

*First Lieutenant E. C. Salmon.*—On the 26th inst. obtained leave of absence for fifteen days.

*First Lieutenant Charles F. Williams.*—On leave of absence from Headquarters, Washington, for one month from the 15th inst.

*First Lieutenant Charles L. Sherman.*—On leave of absence for thirty days from Brooklyn, N. Y., from the 10th inst.

*Second Lieutenant John W. Haverstick.*—Joined at Boston, Mass., from the steamer *Bienville* on the 1st inst., and on leave of absence for thirty days from the 5th inst.

*Second Lieutenant James M. T. Young.*—Detached from Headquarters, Washington, on the 12th inst., and ordered to repair to Portsmouth, N. H., and report by January 1, 1867, for duty on board the steamer *Pawnee*.

*Second Lieutenant Carlyle D. Porter.*—Joined at Headquarters, Washington, D. C., by appointment, on the 25th inst.

## MILITIA DEPARTMENT.

## MODIFICATION OF THE CODE NECESSARY.

*The Editor of the Army and Navy Journal:*

SIR:—In your issue of the 15th of December last, you alluded to the Militia Law and its provisions in reference to the exemption from jury duty. I agree with you that an effort should be made this Winter for a restoration of the old clause exempting members of the National Guard, after seven years' service, from the performance of jury duty for the remainder of their lives. But it is quite safe to say that the effort will be in vain. And, taking a comprehensive view of the subject, there is no reason why fifty thousand of the young men of the State, well fitted by their intelligence for the duties of jurors, should be exempt from the performance of that duty. In twenty years, allowing for the natural increase of voters and the decrease of the exempts, by reason of death or removal from the State, and at least one man in every four, would be exempt from jury duty from this cause alone. Any member of the legal profession can tell you how hard it is to get a jury together in this city even now, and in many of the smaller towns in the interior of the State—where they have a military company and a fire company, it is still more difficult; a fact appreciated by the members of the legislature from the rural districts, many of whom are lawyers. Before time and breath is wasted, these things should be considered.

I claim that the members of the National Guard have always been actuated by public-spirited motives, in spending their time and money to keep alive the military spirit, and in holding themselves in readiness to respond to any call for the enforcement of the laws. Now let us go further, and not insist upon the exemption of the seven thousand young men who will, under the present law limiting the number to fifty thousand, be discharged annually.

Let us endeavor to have the exemption clause restored, and at the same time ask for a general modification of the whole Militia system.

The number of men in the National Guard should be limited to not over twenty thousand, and the proportion allowed this city should not exceed eight infantry regiments and a regiment of artillery, the latter to consist in part of two light batteries and two howitzer batteries. Brooklyn can sustain two good regiments of infantry and no more. Militia cavalry cannot be drilled sufficiently to be of any practical use, and may as well be dispensed with.

The regiments in this city and Brooklyn can be kept up to nearly the maximum, as there are from ten to eleven thousand men in the two cities who do good duty.

All officers should be obliged to pass a rigid examination before being commissioned to any grade. If this was done, more care would be exercised in the selection, and they would enjoy, to a greater degree, the respect and confidence of those under them.

The State should furnish arms and camp equipage, and nothing more. The present system of furnishing uniforms and equipments has, as any experienced officer of the National Guard can tell you, done more harm than good. The county wherein the regimental or company district is located should, as is done now, furnish the armory.

Make these changes, and the improvement in discipline and efficiency will be very great.

## GUIDON.

## MILITIA ITEMS.

**SEVENTH REGIMENT.**—The first of a series of division drills in this regiment took place at their armory on Friday evening of last week. The companies composing the division were the first and eighth—Companies A and H—commanded respectively by Captain Geo. Wm. Smith and Captain Meday. Each of the companies were thirty-two files strong, which were formed into four platoons. Colonel Emmons Clark conducted the drill in person, being assisted by Lieutenant-Colonel Haws and Adjutant Steele. If all the colonels of the National Guard would follow Colonel Clark's example, and be present whenever two of their companies met for division drill, they would, by such a course, be able to exercise a most beneficial effect on their regiments. Good colonels make good officers, or, at least, weed out the poor ones. If a commanding officer of a regiment thinks that captains have more to do in drilling the regiment than the colonel, he shows thereby that he lacks a due appreciation of the duties of his position. Too many colonels appear to think it beneath their dignity to assume command when anything less than the regiment is paraded for military exercise.

The drill on last Friday was a good one, and improving to the men, because they were corrected when they went wrong (which was not often), especially with regard to the manual of arms, the Colonel taking a musket and giving the men a practical illustration of the way they should handle their pieces. It seemed very strange to us that such good officers as we know Captains Smith and Meday are should allow so many of their men to appear with citizens' pants. When a member of the National Guard appears for drill he appears as a soldier, and should wear his uniform as prescribed, and not a mixture of uniform and citizens' clothes. Captain Meday is, doubtless, doing much to improve his company, but his men did not stand as steady as they should, especially those in the rear rank; whereas, Company H was remarkable for the steadiness of its members. As a general

thing the marching was too fast, being faster than quick time. The guides of Company A, in wheeling, shortened their step somewhat while executing the wheels and quickened it after the wheel had been completed. Notwithstanding these blemishes, we think that either Company A or H would even now, at the commencement of the drill season, be able to hold their own in a competitive drill with a large majority of the companies of the First division.

**COMPETITIVE DRILLS.**—It will be seen by the challenge which we annex that Company B, of the Thirty-seventh regiment, Captain W. H. Cox, commanding, has the honor of being the first company of the National Guard of the State of New York to enter into a competitive drill. We congratulate the Captain on his pluck in being the first to enter the lists, and hope to be able next week to state that his challenge has been accepted. The following is a copy of the challenge:

B COMPANY, THIRTY-SEVENTH REGIMENT N. G. S. N. Y.,

NEW YORK, January 8, 1866.

Company B, Thirty-seventh regiment N. G. S. N. Y., hereby challenge any company in the Thirty-seventh regiment to drill them in three months from this date in company movements and the manual of arms.

WILLIAM H. COX, Captain.

We understand that in case the above challenge is not taken up by some company of the Thirty-seventh regiment within thirty days, Captain Cox intends to seek a competitor among the other companies of the division.

It will be seen from the report of the movements of the Massachusetts Militia, which we publish elsewhere, that another competitive drill for a guidon (as was originally proposed in the JOURNAL) has taken place in Boston, while a third regiment proposes to drill according to the plan we have suggested. We are glad to see that we have succeeded in persuading so many of our readers of the benefits to be derived from these drills, and we hope, ere the close of the season, to see New York quite as alive on this subject as the Bay State.

**THIRTY-SEVENTH REGIMENT.**—An election took place at the armory of this regiment on Thursday evening, the 3d inst., to fill the position of Lieutenant-Colonel made vacant by the resignation of Lieutenant-Colonel C. M. Catlin. Brigadier-General J. M. Varian presided, Major Wentworth and Captain Carrington, of his staff, being present. The polls opened at about eight o'clock P. M., and on the closing of same it was found that Major Geo. M. Dusenbury was elected to fill the position of Lieutenant-Colonel, the vote standing as follows: Major Dusenbury, 19; Captain Oliver, 1; blank, 1. Major Dusenbury, who was present, signified his acceptance of the position. An election was then held for Major of the regiment, with the following result: Twenty-three votes were cast; of these, Captain Roome received 14, Captain Fullagar, 4; Captain Cox, 3; Captain Underhill, 2; whereupon Captain Roome was declared duly elected. On motion of Captain Oliver both elections were made unanimous. Adjutant Waring, who was a candidate for the position of Lieutenant-Colonel, withdrew his name some days previous to the election. Upon the adjournment of the meeting all present were invited to partake of refreshments by the newly-elected officers, at "Parker's," where champagne flowed very freely in honor of the election. Many officers of the First division were present on this occasion, among them Colonel Parmelee and others. Colonel Dusenbury is a good officer, and well deserves his promotion, upon which we tender him our congratulations. Captain Roome, the senior Captain of the regiment, was a very good selection for Major. Now that the clouds which have so long hovered over the heads of the Thirty-seventh have been buried deep in the bosom of the ocean, we look for renewed activity and life in the regiment.

**TWELFTH REGIMENT.**—An election to fill the vacancy in this regiment caused by the promotion of Colonel William G. Ward to the position of Brigadier-General of the First brigade was held at the regimental armory on Friday afternoon of last week. Major John Ward presided. The polls opened shortly after 4 o'clock, and were closed at the expiration of the allotted hour. The result of the ballot was, total number of votes cast 26—of these Major Ward received 16, and Captain Wm. Raynor 10. Major Ward was then declared duly elected Colonel of the regiment, and signified his acceptance of the position. On motion of Captain Raynor the vote was made unanimous. An election was then held to fill the vacancy in the position of major caused by the promotion of Major Ward. The number of votes cast was again 26, and were distributed as follows: Captain McAfee, 16; Captain Byrne, 3; Captain Gilson, 3; Captain Imley, 3; blank, 1. Whereupon Captain McAfee was declared duly elected Major of the regiment, which position he formally accepted. The meeting adjourned shortly afterward.

Lieutenant-Colonel L. Satterlee, of this regiment, was not a candidate for promotion, as he has some time since received an appointment as Brigadier-General, and was detailed out of the district for the purpose of raising a brigade. Colonel John Ward, Jr., is the brother of Brigadier-General Wm. G. Ward, the former Colonel of the regiment, and Major McAfee formerly commanded the Webster Light Guard, one of the best organizations in the regiment.

**TWENTY-SECOND REGIMENT.**—The right and left wings of this regiment will assemble for battalion drill at the armory, respectively, on the evenings of January 18th and 23rd. The first sergeant's call will be beat at 8 o'clock, precisely, and the battalion will be formed without delay. The adjutant will allow no sergeant to amend his report; but privates reporting for duty after the first sergeant's call has been sounded, will be formed into a squad, under the command of an officer detailed for the purpose, and will be assigned to the companies at such time as may be ordered. The following manœuvres will be performed: Marching by the flank; by company and division front, in column; in line of battle; and in common, quick, and double quick times. Closing to half distance, and in mass, and taking distances. Passing from line of battle to column, and from column to line.

**THIRD REGIMENT.**—Brevet Brigadier-General John E. Bendix, commanding this regiment, has issued the following order: In compliance with brigade orders, the commissioned officers and non-commissioned staff officers of this regiment will assemble for drill and instructions (Casey's Tactics), at the State Arsenal, corner of Thirtieth street and Seventh avenue, in fatigue uniform, with side arms, on Tuesday, January 23d, and Tuesday, February 19th, at 7½ o'clock P. M. This regiment will assemble for drill and instructions, in Zouave uniforms (white gloves, without muskets), at the State Arsenal, on Thursday, the 10th, and Monday, the 23d inst. Company roll calls at 7½ o'clock. Adjutant's call at a quarter before 8 o'clock P. M. The line will be formed at 8 o'clock P. M. precisely. Captain John H. Murray, Company B, will detail a corporal and two men, who will report to the Adjutant for guard duty, at 7½ o'clock, precisely; said guard will permit none to pass out of the building without permission from the commandant of the regiment. Commandants of companies will make a written report, certified on honor, of the

number of old equipments on hand, and turn in the same to the quartermaster on or before the 8th inst., or they will be charged with the deficiency. The commissioned officers of this regiment will assemble for drill, in fatigue uniform, with side arms, at the regimental armory, 111 and 116 East Thirteenth street, on Wednesday, the 30th inst., at 8 o'clock P. M. The non-commissioned company officers will assemble for drill, in Zouave uniform, at the same place, on Thursday, the 31st inst., at 8 o'clock P. M. Lieutenant-Colonel Beattie will take command, assisted by the Adjutant. The commandant trusts that the officers will be more prompt in their duties than they have been the last year past, and sees that their men appear neat and tidy on parades and drills. Those who are not in complete uniform will not be permitted to take position in line, and the Adjutant will report every deficiency as absent, who will be court-martialed, and fined according to law.

**TWENTY-THIRD REGIMENT.**—Brevet Brigadier-General O. E. Pratt, commanding this regiment, has issued the following order: The commissioned officers, sergeants, and six files (including corporals) from each company of this regiment, will assemble at the arsenal (Portland Avenue), for battalion drills, on Wednesday evening, January 9th and Tuesday evening, January 29th. Line will be formed at 8 o'clock P. M. The ordnance sergeant will furnish muskets to the detail at the arsenal. The field and staff will report to the colonel, and the non-commissioned staff and drum corps to the adjutant, at 7½ o'clock P. M. The following resignations are announced: Captain Allen L. Bassett, Company D; Captain Charles F. Rogers, Company K; Lieutenant Elias S. Tompkins, Company I; Lieutenant M. E. Bassett, Company F. The following elections have taken place: First Lieutenant James G. Gregory, captain Company K, vice Rogers, resigned; rank, October 19, 1866; Second Lieutenant Alfred G. Kelley, first lieutenant Company K, vice Gregory, promoted; rank, October 19, 1866; First Sergeant H. Herbert Higgins, second lieutenant Company K, vice Kelley, promoted; rank, October 19, 1866. Sergeant Edwin A. Street has been relieved from duty as ordnance sergeant, and will report to the captain of Company I. Sergeant Edward B. Hincken is relieved from duty as right general guide, and will report to the captain of Company G. Appointments: Charles E. Bryant to be ordnance sergeant, vice Street, relieved from duty; Isaac F. Bissell to be right general guide, vice Hincken, relieved from duty; William C. Barton to be left general guide, vice Bissell, appointed right general guide. All to date from October 19, 1866.

**SEVENTH REGIMENT.**—The fifth of the serial promenades concerts of this regiment took place on Saturday evening, the 5th inst., at the regimental armory, and was attended by a very large and select audience. The music, under the direction of Grafulla, was, as usual, artistically rendered. The programme was as follows: Quickstep—"Esprit du Corps," Grafulla; Romanza—"L'Eclair," Halevy; Overture—"Nabucodonosor," Verdi; Deux Temps—"Le Romantique," Lanner; Selections—"Gemma di Vergy," Donizetti; Galop—"Seventh regiment," Grafulla; Selections—"Bianca e Faliero," Rossini; Romanza—"Don Sebastiano," Donizetti; Valse—"Wiener Sperl Lusi Klange," Gunzl; Polka—"Nightingale," Bouquet; Galop, Fanst; Quickstep, Grafulla. In addition to the above the popular Godfrey Waltz, "Hilda," was given between selections third and fourth. The tattoo, as rendered by the field music of this band, is quite a feature of the series. Of those present were Major-General Shaler, and a number of the old members of the regiment who still preserve their interest in the organization. The excellence of Grafulla's music, and the number of well-dressed ladies who attended these concerts, so fully satisfy the eye and ear of the beholder that any one who has attended one is sure to go to the entire series. The next of the series will be given on Saturday evening, the 19th inst.

**A CARD.**—We have received the following letter from Colonel Duryea:

NEW YORK, January 4, 1867.

To the Editor of the Army and Navy Journal:

DEAR SIR:—In a recent issue of your paper you mention me as being a candidate for the colonelcy of the Twenty-second regiment, N. Y. S. M. I am not, nor have I been at any time, a candidate for that office. I write this for your information, and request you will not give publicity to anything at variance with the above.

Yours truly,

H. DURYEA.

**FIFTH REGIMENT.**—Company K, of this regiment, Captain J. Ertz, Jr., commanding, gave their second annual invitation ball at the Harmonie Rooms, Essex street, Tuesday evening, January 5th, which was quite a success. From the number of ladies in attendance we should judge that the members of Company K were favorites with the fair sex. Lieutenant-Colonel Hillenbrand and the officers generally of the regiment were also present. Company K was organized December 5, 1865, and, although one of the youngest in the Fifth regiment, is in a very flourishing condition.

Company C, of this regiment, Captain P. Kraeger commanding, will give their third annual ball at the Union Assembly Room, Elizabeth street, corner of Grand, on Tuesday evening, January 15th.

**NATIONAL GUARD IN THE ASSEMBLY.**—The Committee of the Assembly on Militia and Public Defence is composed of the following members: Messrs. Wagstaff, Flake, Rogers, Schult, Shaw, L. Beck and M. C. Murphy. Of these, Colonel Wagstaff, of the Sixteenth regiment, and ex-Major Buck, of the Eighth regiment, are well known to the First division, and we feel sure that the interests of the National Guard will not suffer at their hands. John Oakley, of the Seventh regiment, is Chairman of the Committee on Commerce and Navigation.

**RESIGNATION OF COLONEL GEBHARD.**—Colonel Edward Gebhard, Assistant Commissary-General of Ordnance, has tendered the resignation of his position on account of the pressure of his private business. In accepting the resignation, Governor Fenton expresses his approval of the fidelity and intelligence the Colonel has displayed in the discharge of his duties, and his cordial wishes for the Colonel's future success. Colonel M. J. Farrell succeeds Colonel Gebhard as Assistant Commissary-General of Ordnance.

**THE MAJOR-GENERALSHIP OF THE FIRST DIVISION.**—Although nothing definite is known on this subject, it is highly probable we shall, next week, be able to inform our readers who is to be General Sanford's successor. It will, of course, at this stage of the proceeding be idle to speculate as to who will be the successful aspirant, but we think we can safely predict that it will be one chosen on military rather than political grounds. Governor Fenton has always shown himself a friend of the National Guard, and it is of the importance that he should have at the head of the First division an officer who is thoroughly acquainted with the command, as well as instructed in his duties. One of the staple items of conversation for some time in civil as well as literary circles has been, who is to be

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Major-General of the First division? which we hope shortly to be able to answer. Whoever is appointed may expect to be severely criticised, and woe betide him if he is not well up in tactics and the customs of the service.

**SEVENTY-FIRST REGIMENT.**—Colonel T. W. Parmele, commanding this regiment, has issued the following order (General Orders No. 1): Division drills of the regiment will be held at the State Arsenal from the 14th to the 18th inst. inclusive, and at the Thirteenth street armory from the 21st to the 25th inst. inclusive, in full fatigue uniform. Roll call of companies at 8 o'clock p. m. The ranking subalterns will act as adjutants. First division, Companies A and H on Monday evening; Second division, Companies D and G on Tuesday evening; Third division, Companies C and F on Wednesday evening; Fourth division, Companies E and K on Thursday evening; Fifth division, Companies B and I on Friday evening. The officers and non-commissioned officers will assemble at the State Arsenal on Tuesday evening, the 29th inst., in full fatigue uniform, for drill with distance cords. Roll call at 8 o'clock. The members of the regiment not ordered to take part in this drill are invited to be present. On Monday evening, the 1st proximo, and on Wednesday evening, the 11th proximo, the regiment will assemble at the State Arsenal for regimental drill, in full fatigue uniform. Company roll calls at 8 o'clock. Company K, at these drills, will be formed of instructed men, detailed by the commandant of each company. Such details will be exempt from fines for non-attendance at the battalion drills of their own companies while so serving. Companies A, I, C, D and E will detail one sergeant and two files; Companies H, B, F and G, one corporal and two files. The officers making these details will at once make return to the adjutant of the names of the members. Lieutenants Tyson and Shadé are assigned to Company K for duty at the drills ordered herein. The senior officer present will be held responsible for a correct return of delinquents. The commissioned staff officers will attend the skeleton and regimental drills ordered in the foregoing, and the non-commissioned staff, general guides, and color guard, in addition to this duty, will attend the drills of the Third division. Muskets will be furnished at the place appointed for the above meetings. A detail of half a file from each company will be made by the adjutant, with the approval of the company commanders, to serve as a permanent color guard. They will be selected from among those who have served with distinction in the regiment, and will be breveted to the grade of lance-corporal. Company commanders will make return to the adjutant within five days after all battalion formations, now or hereafter ordered, of the squads, warrants and names of delinquents, in accordance with Form No. 41 of the Code.

Enlisting orders will be forwarded with application for signatures, and will be returned through the regular channel. On application for Captain Tyson, First Sergeant Richard P. Wheeler, Company I, is reduced to the ranks for disobedience of orders, neglect of duty and manifest unfitness for any position in this regiment.

The following appointments are announced: First Lieutenant A. T. Francis to be Adjutant, rank from December 11, 1866, vice Livermore, resigned; Thomas Lynch Raymond, to be Quartermaster, vice John A. Hull (holding over), with rank from January 9, 1867; Sergeant James M. Turner, to be Commissary-Sergeant, warrant dated December 31, 1866, vice John P. Hilliard, discharged; Privates Jas. B. Scott and Geo. W. Moore, to be standard bearers, warrants dated December 31, 1866, vice Turner, promoted, and R. Libby, returned to his company; Geo. B. Bruce, to be Drum-Major, from December 11, 1866, vice Purdy, relieved. The following discharges are announced: Privates J. T. Delap, Company E; Joseph Potter, Company E; Geo. W. Summers, Company D; Henry K. White, Robert F. Glass and Wm. H. Cole, Company G; Jonas A. Lincoln, Company D. The names of Privates Merry, O'Neil, Skillman and Tibbits, of Company F, will be dropped from the company roll, and accounted for as removed from the military district. Marasmus Williams, 145 Goerck Street, Company C, has been expelled. The band of the regiment will shortly give two concerts in Troy, New York.

**THIRTEENTH REGIMENT.**—Colonel J. B. Woodward, late of the Thirteenth, on December 28th was presented by the officers of that regiment with an elegant photographic album, containing pictures of the field, staff and line officers, and the non-commissioned officers of the staff and companies. Immediately after Colonel Woodward's resignation, last summer, it was determined to present him with a testimonial, and a set of silver and a photographic album were decided upon. Colonel Woodward, however, hearing of this, declined receiving the silver set. The album was the work of several firms, Anthony & Co. manufacturing the book, Oliver & Co. the gold ornaments, B. F. Brady executing the penmanship, and Sherman, of Brooklyn, taking the photographs; the entire cost being nearly \$50.

On the evening of the presentation the officers of the regiment assembled in citizen's dress at Colonel Woodward's residence, without formality, Captain Henry Heath, of the Testimonial Committee, making the presentation speech, which was a very able effort, from which, however, we can, on account of want of space, make only the following extract:

It is now nearly thirteen years since some of us first formed your acquaintance in this organization. We first knew you as a comrade in the ranks; then, as your eminent soldierly ability developed itself, you rose to corporal, and sergeant, and lieutenant, and captain, and lieutenant-colonel, and then the regiment honored itself by placing you at its head. As these years followed one another, and our acquaintance grew more intimate, it refined into a personal friendship and esteem, which will be long. Each new promotion but developed new ability, and the regard which was at first superficial and trifling, grew stronger and deeper with the years, until it became, at last, rooted and immovable.

Colonel Woodward replied at considerable length, his feelings at times almost choking his utterance. After the presentation the officers were very handsomely entertained by the Colonel.

**MILITARY ASSOCIATION.**—The attention of the members of the National Guard is again called to the meeting of the Military Association of the State of New York, which will be held in Albany on the 15th and 16th inst., commencing at 12 o'clock on the 15th.

Brigadier-General George S. Batcheller will deliver the annual address before the Association on Wednesday evening. All commissioned officers of the National Guard are invited to attend.

**PRESERVATION TO GENERAL IRVINE.**—General William Irvine, late Adjutant-General of the State, was presented with a very elegant sword, at the Hoffman House, on Thursday evening of last week. The sword was subscribed for by certain of the officers of the First division, and presented to the General, on their behalf, by Brigadier-General Lloyd Aspinwall, commanding the division. The sword, which was gotten up by Messrs Shannon & Miller, of Maiden Lane, was a very elegant one, the scabbard being made of solid silver heavily gilded; the hilt of silver, studded with brilliants, and the blade of fine steel, inlaid with gold. It was intended that the presentation should have been made before the General's retirement, but for some reason or other it was delayed until the present time.

although it is not on that account any the more acceptable. The General appears to be in luck as regards presentations, for, on the 31st ult., he was presented with a valuable gold watch and chain by the attaches of the Adjutant-General's Department, who waited on him in a body at the Delevan House for the above purpose. Colonel J. B. Stonehouse made the presentation on behalf of his associates, General Irvine responding in a short but telling speech. It must be pleasant to General Irvine to know that he carries with him in his retirement the kind feeling of those who have served under him in the Adjutant-General's Office.

**EIGHTH REGIMENT.**—The first annual ball of Company K, of this regiment, Captain Green commanding, will take place at the New York Assembly Rooms, Broadway, on Monday evening, the 21st inst. The drum corps of this regiment will give their annual ball at Irving Hall, on Tuesday evening, the 29th inst.

**FOURTEENTH REGIMENT.**—The first annual promenade hop of Company H, of this regiment, will be given at the Brooklyn Athenaeum on Wednesday evening, January 16th.

**PENNSYLVANIA MILITIA.**—It will be noticed by our readers that our Militia news is chiefly confined to what is going on in New York and Boston, which are, in fact, the chief centre of Militia life. It might be expected that the State of Pennsylvania would have at least one or two organized divisions, but this we find is not the case. In order to give our readers an idea of the thorough want of Militia organization in that State, we print an extract from the report of the Inspector-General of Pennsylvania, and embodied by the Adjutant-General of that State in his last annual report:

From the fact of the utter prostration of the Militia system throughout the Commonwealth, it will be a most arduous, tedious and expensive undertaking to effect any organization under that act (4th May, 1864). If the enrollment was completed and perfected, it would be necessary, as an initial step, to divide the several counties into company districts, and hold elections for company officers in each of them, before any regimental or brigade organizations could be made. The number of these districts would be very large, and difficulties arising from the territory and population to be embraced therein, would require some one in each county familiar with the topography and inhabitants, to arrange these districts and make the necessary preliminary arrangements for holding the elections. As there are no local officers to assist this department, and as it has no funds at its disposal to pay the expenses of holding such elections, and the charges of persons employed to map out the districts, and perform other duties incident thereto, it could not hope to meet with any success in the effort, without a large and liberal appropriation to meet these demands. It is in vain to issue orders, and call upon the people voluntarily to assume such labors, and submit to the burdens imposed by the act. The day of voluntary, gratuitous service for the State seems to have passed away forever; and the universal response to every proposition on the part of the public authorities is "what will it pay?" From a careful examination of the subject it will, in my judgment, require the expenditure of one hundred thousand dollars to accomplish an organization of the Militia under that act. If we are to have a Militia system at all, it should be an uniform one, and well sustained by liberal provisions and appropriations for its organization and support. In no other way can one be instituted and sustained. Bitter experience has demonstrated our necessity for an efficient Militia system, to teach our citizens the use of arms, and indoctrinate them with a just estimate of the value of military discipline. The want of such a system, and such teaching, during the late war, resulted in measureless suffering and inefficiency, that not only cast a stigma on our reputation, but also subjected us to losses and expenses that would far more than have paid for the amplest preparation. Our laws on this subject are multitudinous, incongruous and inconsistent, and productive only of trouble, expense and inability. Often the product of haste and incompetency, they utterly fail to meet our wants, or produce results acceptable to the people, or worthy of their support and admiration. Year after year our Militia acts have descended from bad to worse, until the very mention of the subject became a reproach, and an invitation for mockery and scorn. The true remedy for all this will be found in a faithful and full revision of the whole matter, by competent and practical men, whose knowledge of the science and practice of military operations, gained by personal experience and observation, would enable them to build up a system suited to our wants and circumstances, and honorable to the State. I therefore recommend that the Legislature be asked to make an appropriation for the appointment of a commission, authorized to draft a bill on the subject, to take the place of all antecedent legislation, and supply the void which now exists.

## MASSACHUSETTS MILITIA.

**FIRST REGIMENT INFANTRY, BOSTON.**—Most of the companies in this command are very attentive to drill. The Board of officers meet monthly to discuss matters relating to the welfare of the regiment. Company G (Boston Fusiliers), are busy perfecting arrangements for their contemplated trip to New York next June. There have been no battalion drills up to this time, as there is not a hall that can be obtained suitable to drill the regiment in. This is very unfortunate. All the companies have separate armories in different parts of the city, and some central armory large enough to contain a regiment, where they can assemble for battalion drill, and become accustomed to maneuvering together, is needed very much.

**SECOND REGIMENT OF INFANTRY, BOSTON.**—Decided steps will probably soon be taken with a view to either consolidate all the men in this regiment into a battalion of a few companies or wholly disband the organization. The following was the strength of this command in camp last September, per returns made to the Adjutant-General: Eight Companies; present, 136; absent, 216; Total, 352.

If the 216 reported absent, it is safe to presume that fully three-fourths were not members in the strict sense of the word. As much was admitted by officers at the camp. A very decided effort has been made since that time to recruit up the regiment to the minimum number required by law—40 rank and file to a company—but without success. The State is now under heavy expense for armory rent, while there are no companies to occupy the armories. Much dissatisfaction is also expressed in other corps in the city, on account of this skeleton regiment being allowed to retain a place in the Militia.

**SEVENTH REGIMENT INFANTRY, BOSTON.**—A silver medal is to be presented next Spring to the best-drilled company of this regiment, and also to the best-drilled man in that company. The Board of officers have decided that no company can compete for the prize unless at least thirty men parade at the trial. This prize drill promises to equal that of the Ninth Infantry last Fall. In the mean time the drill-room is nearly deserted, but few companies having more than corporal's guard present on drill nights. It is supposed that this state of things will mend soon. Five company rooms have lately been fitted up in the regimental armory—two companies to a room. This improvement has long been needed.

**TENTH REGIMENT INFANTRY.**—By Special Orders No. 130, issued from Headquarters of the Commonwealth, and dated December 26, 1866, the First battalion Infantry is changed to the Tenth regiment Infantry, with the following organization: Company A, Worcester, Captain Joseph A. Titus; Company B, Fitchburg, Second Lieutenant Merrill Carleton, commanding; Company C, Worcester, Captain James M. Dennan; Company D, Fitchburg, Captain Hiram P. Minot; Company E, Ashburnham, Captain Asahel Wheeler; Company F, Milford, Captain Willard Clark; Company G, Springfield, Captain Horace C. Lee; Company H, Upton, Captain Nelson Cox. The regiment is attached to the First brigade. Major Robert H. Chamberlain is in command until an election for Colonel and Lieu-

tenant-Colonel is ordered. In the transmission of this order, Major Carney, Acting Division Inspector on the staff of Major-General Butler, totally ignored brigade and battalion headquarters, and appears to have transmitted the order direct to commanding officers of the above-mentioned companies. The division order, transmitting the same to the First brigade commander, was dated December 27, 1866, but was not received until January 7th. It was at once forwarded by General Burrell to Major Chamberlain to be issued to his command in the proper manner. Where the Division Inspector finds his authority for his action in this matter is a question the curious would like to have answered.

**SECOND BATTALION INFANTRY (COLORED), BOSTON.**—Company A, Captain James B. Watkins, paraded on Tuesday forenoon, 1st inst., and received Company B, of New Bedford—Captain Wesley Furlong—at the Providence depot, and escorted them to the armory of Company A, where both companies partook of a collation. In the afternoon the battalion, under the command of Major Lewis Gaul, made a street parade in full Winter uniform. The companies had about 40 men each. In the evening the battalion held a levee in Faneuil Hall. Prominent officers of the Militia were present. The parade and festivities were in celebration of the Emancipation Proclamation of President Lincoln.

**INDEPENDENT CORPS OF CADETS, BOSTON.**—This corps paraded Wednesday, 2d inst., as an escort to the Legislature, which assembled on that day. Lieutenant-Colonel C. C. Holmes was in command. About 60 muskets were in line, and were accompanied by Brown's Brigade band. The corps were in full Winter uniform, and made their usual excellent appearance. The music by the band was superior. It looked, however, rather odd to see some of the members of such a good band shabbily dressed, although parading under the eye of so strict an officer as Colonel Holmes. In the evening the company sat down to one of Parker's best dinners, at his hotel, which is annually furnished and paid for by the State. Governor Bullock and staff, Adjutant-General Cunningham, and other military men were present. The usual amount of speech-making occurred.

**LATIN AND HIGH SCHOOL REGIMENT OF INFANTRY, BOSTON.**—The English High School Battalion of Infantry (which forms the left wing of the regiment of which the Latin High School is the right wing) had a prize drill in Boylston Hall, one day last week, under the command of Lieutenant-Colonel J. M. Little, assisted by Captain H. Moore, military instructor. A large number of spectators were present. The young men went through the drill in a very creditable manner, manifesting very little carelessness or imprecision. After drilling in company movements and the manual of arms, as a test of superiority, the young soldiers were exercised in battalion movements, at the close of which General Cowdin, in behalf of the judges of award, presented the prize (a blue silk guidon, marked E. H. S.) to the first company of the battalion, commanded by Captain Henry F. Miller. The exercises were concluded by a dress parade.

## GOVERNOR FENTON'S STAFF.

GENERAL HEADQUARTERS, STATE OF NEW YORK, ADJUTANT-GENERAL'S OFFICE, ALBANY, Jan. 1, 1867.

General Orders No. 1.

The following-named persons are hereby announced as constituting the staff of his Excellency R. E. Fenton, Governor and Commander-in-Chief:

Brigadier-General Selden E. Marvin, Adjutant-General; Brigadier-General George S. Batcheller, Inspector-General; Brigadier-General Charles W. Darling, Engineer-in-Chief; Brigadier-General Campbell H. Young, Judge-Advocate-General; Brigadier-General James E. Pomfret, Surgeon-General; Brigadier-General Edwin A. Merritt, Quartermaster-General; Brigadier-General Dudley Olcott, Paymaster-General; Colonel A. J. H. Duganne, Chief of Bureau of Military Statistics; Colonel Elliott F. Shepard, Aide-de-Camp; Colonel Bradley Martin, Aide-de-Camp; Colonel J. H. Liebenau, Aide-de-Camp; Colonel Ephraim A. Ludwick, Aide-de-Camp; Major Daniel W. Merchant, Military Secretary. They will be obeyed and respected accordingly.

By order of the Commander-in-Chief.

S. E. MARVIN,  
Adjutant-General.

Official:

J. B. STONEHOUSE,  
Assistant Adjutant-General.

## CHANGES IN THE NATIONAL GUARD, S. N. Y.

HEADQUARTERS, STATE OF NEW YORK, ADJUTANT-GENERAL'S OFFICE, ALBANY, January 5, 1867.

The following resignations of officers in the National Guard, State of New York, have been accepted by the Commander-in-Chief during the week ending January 5, 1867:

January 5th, Ninth regiment, John S. Stryker, Second Lieutenant, ill health.

January 5th, Thirteenth regiment, R. P. Cornwell, Second Lieutenant, declined.

January 5th, Fifteenth regiment, Benj. A. Willis, Colonel, absence.

January 5th, Sixteenth regiment, R. Riley, Chaplain, declined.

January 5th, Twenty-second regiment, E. M. Townsend, Major, absence from State.

January 5th, Twenty-fourth regiment, Ed. A. Ives, Captain, physical disability.

January 5th, Twenty-fourth regiment, George D. Smith, First Lieutenant, physical disability.

January 5th, Thirty-sixth regiment, Wm. P. Davis, Colonel, term of service expired.

January 5th, Forty-seventh regiment, Andrew Merrill, Surgeon, removal.

January 5th, Forty-seventh regiment, George W. Taylor, First Lieutenant, removal.

January 5th, Seventy-ninth regiment, John A. McPherson, Second Lieutenant, term of service expired.

January 5th, Ninety-fourth regiment, A. E. Dewey, First Lieutenant, term of service expired.

The following is an extract from a private letter, dated Fort Laramie, D. T., December 27, 1866:

News has just been brought in by a messenger from hostile camp, who was sent out by the Indian agent to make peace, to invite them in. The messenger says that the following tribes have combined, and that they are on Tongue River: 1,000 Minneconjungs, 2,500 New Papas, 700 Sans Ans, 300 Brules, 1,000 O'Gallalas, 2,000 Blackfeet, 1,000 Crows, 1,500 Flatheads, 400 Grosventres and 1,200 Assinboines; total 4,600 Indians.

Tongue River is about twenty miles west of Fort Philip Kearny, Dakota.

THE Army and Navy Union Association, Kings County, have elected the following officers for 1867: President, Brevet Brigadier-General E. L. Molineux; First Vice President, Brevet Brigadier-General S. H. Roberts; Second Vice President, Colonel C. H. Pierson; Third Vice President, Captain W. S. Cheesman; Corresponding Secretary, Colonel Thomas Mulcahy; Recording Secretary, Colonel Walker T. Woolley; Treasurer, Brevet Brigadier-General E. A. Kozlay; Sergeant-at-Arms, Sergeant G. W. Lyle.

The following extracts are from a lecture by George Alfred Townsend, recently European war correspondent for a New York paper:

## FREDERICK THE GREAT.

The origin of the three combating nations is as involved as their future. Prussia was one of the last States to be civilized in Europe. The Teutonic knights, coming home from the crusades, subdued the Pagan Prussians; a long and feeble period followed, out of which emerged the present house of Hohenzollern, champions of the reformed religion, and great savers of money. With the gold laid up by his niggard father, Frederick the Great sprung a mine upon Austria, seized Silesia, and became, in a large sense, the founder of modern military tactics. He was a vain, arbitrary and sagacious man; in theory, a reformer; in practice, a whimsical tyrant; in effect, the consolidator of Northern Germany. By his patronage of Voltaire he unconsciously fostered the great revolution of France and Europe, whereby a soldier arose to make his best victories forgotten, and almost to trample the Prussian Monarchy from the world. His heirs have all been shallow and intemperate kings, but his military example has kept Prussia warlike and united; and out of his amateur attempts at literature has developed the Prussian system of education, whereby her victories must be those of art if not of right. That all Germany will one day become Prussia, is almost certain; her return to Germany again will be the long deferred Republic of Armenia and Schiller.

I waited at Potsdam by the grave of Frederick. This recent triumph of his house had revived his fame. I stood in the garrison church, where the soldiers worship, strong and simple, beneath a cornice of tattered flags, beside his father's urn. There were no roses on it, but in the air the blood-red sheen of pikes and lances, and all the music that thrilled its guarded gloom was the clashing drums and trumpets that carried him through murder to gratitude. A soldier fresh from the front went curiously about it; a woman and a baby stood apart, timidly lisping his story; overhead the preachers prayed in the fulness of their thanks for his people's victory. He who had called Christ infamous and dropped into eternity from the company of his dogs, was locked in the mystery of stone beyond the redemption of praise or carving, a worn out instrument of God whose world marched on to accomplishments of which no king or hero-worshipper ever dreamed.

## BISMARCK AT THE GRAVE OF FREDERICK.

Down through the silence came heavy and relentless feet. They were of impious people, claiming equality with his mighty memory. Three statues shape themselves round the sarcophagus; the first was furrow-faced, and small, and very gray—Von Meltke, the chief of staff, who plotted the road to victory; the second was stouter, younger, and more clerical of dress—Von Roon, the Stanton of the war; the third was high and broad and burly, and as he struck the stone floor, with a shodded cane, his voice challenged the echoes and made the shadows quiver. Life and power in him faced fame and ashes; Count Bismarck called up Frederick as Saul demanded the ghost of Samuel. It was the tableau of the war—these three who forced it on and fought it to empire, looking upon their dead exemplar.

They showed no silent reverence. Power has no sentiment; these three were mere business men of State, done with a lucky and dangerous speculation; and accident, not pilgrimage, had brought them hither. The only link between them and the dead was Count Bismarck's cough, deep and racking, that he vainly strove to drown with his thunderous staff. High, vindictive and imperious as he stood, with a flattered conscience, a splendid port and an easy fame, the lungs of the man "peached" and declaimed against him. And so shall we journalists, the lungs of the world, be the eternal cough and echo and terror of those who have appealed mankind, but have not advanced it.

## SADOWA AND CUSTOZZA.

The great battles of the war were Sadowa and Custozza. Both were honorable combats, delivered with more spirit than skill, and resembling the bull-dog campaigns of Grant rather than the nice and strategic methods of Turenne and Bonaparte. They were delivered upon the solid ground; no swamp, nor tangle, nor wilderness interposing; every foot of soil understood by either side, and neither battle marked by any special device or sagacity.

## MARRIED.

(Announcements of Marriages should be paid for at the rate of fifty cents each.)

RYAN—GALVIN.—On December 27th, by Right Rev. Bishop Williams, Lieutenant-Commander GEORGE P. RYAN, U.S. Navy, to MARY E., daughter of John Galvin, of Roxbury.

## DIED.

THOM.—In Portland, Me., December 28th, ELIZABETH HALLOCK, youngest child of Colonel George Thom, Corps of Engineers, aged one year and two months.

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**LONDON AND NEW YORK STEAMSHIP LINE.**

PASSAGE TO LONDON DIRECT \$90, \$60, and \$30, currency. Passage from London \$75, \$60, and \$30, gold.

ATALANTA.....Capt. Pinkham, from N. Y. Jan. 12.  
 BELLONA.....Capt. Dixon, from N. Y., Feb. 2.  
 CELIA.....Capt. Glendell, from N. Y. Feb. 16.  
 WILLIAM PENN.....Capt. Billinge, from N. Y. Feb. 27.

The new and elegant British iron steamship ATALA, 3,000 tons, will leave Pier No. 3, North River, for London direct, on Saturday, Jan. 12. The accommodations for passengers on this ship are unsurpassed. Freight will be taken and through bills of lading given to Havre, Antwerp, Rotterdam, Amsterdam and Dunkirk.

For passage apply to CHARLES A. WHITNEY, 26 Broadway. For freight apply at 54 South st. HOWLAND & ASPINWALL, Agents.

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The Screw Steamers of the North German Lloyd, AMERICA.....Capt. J. C. Meyer,  
 NEW YORK.....Capt. G. Ernst,  
 HERMANN.....Capt. G. Wenke.  
 HANSA.....Capt. K. V. Oterendorp,  
 BREMEN.....Capt. H. A. F. Neynaber,  
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 Run regularly between New York, Bremen and Southampton.

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 Bremen, Southampton, New York,  
 Saturday. Wednesday. Saturday.  
 BREMEN.....July 28 Aug. 1 Aug. 25  
 AMERICA.....Aug. 11 Aug. 15 Sept. 1  
 HERMANN.....Aug. 18 Aug. 23 Sept. 8.  
 HANSA.....Aug. 25 Aug. 29 Sept. 22  
*Price of Passage from New York to Bremen, London, Havre, and Southampton.*  
 First Cabin, \$105; Second Cabin, \$62 50; St. R. \$37 50  
*From Bremen to New York.*  
 First Cabin, \$12 50; Second Cabin, \$80; Steerage, 45  
*Price of passage payable in Gold, or its equivalent in Currency.*

The above vessels have been constructed in the most approved manner, they are of 2,500 tons, and 700 horse power each, and are commanded by men of character and experience, who will make every exertion to promote the comfort and convenience of passengers. They touch at Southampton on the outward trip, for the purpose of landing passengers for England and France. These vessels take Freight to London and Hull, for which through bills of lading are signed. An experienced surgeon is attached to each vessel. All letters must pass through the Post Office.

No Bills of Lading but those of the Company will be signed. Bills of Lading will positively not be delivered before goods are cleared at the Custom House.

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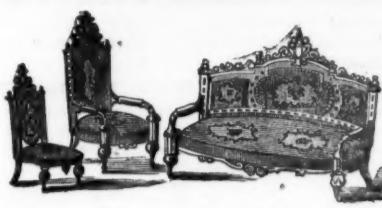
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 AND

NO. 54 WALL STREET, N. Y.

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 Surplus.....44,280

Total Assets.....\$244,280

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WORKMANSHIP

they cannot be excelled. Their action is constructed with a care and attention to every part therein that characterizes the finest mechanism. None but the best-seasoned material is used in their manufacture, and they will accept the hard usages of the concert-room with that of the parlor, upon an equality—unaffected in their melody; in fact, they are constructed,

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The following brands are now offered by us. They comprise all the varieties now grown in the state suitable for sale:

WHITE, or HOCK WINE—Of a light straw color, very delicate and fine flavored.

CLARET—A superior wine for table use.

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GRAPE BRANDY—The pure distillation of our wines.

WINE BITTERS—A very agreeable tonic and a sure remedy for the diarrhoea.

This is one of the most valuable combinations of a useful and an agreeable beverage that has ever been offered to the public. Millions of bottles were sold throughout the North, during the last four years, and wherever introduced it has proved a welcome addition to the invalid table, the family circle and the bachelors' sideboard.

Ladies who have lost strength and appetite, and suffer from nausea, vomiting and vertigo; gentlemen who “don't feel very well” just before breakfast or dinner, whose stomachs are out of order, and whose systems are generally deranged; mothers weaning children, and suffering from general debility; children of sickly natures and sour, dyspeptic constitutions; travellers who have occasion to change their water, and all who live in malarious districts, and are subject to miasmatic influences, will find it one of the most valuable invigorators that can be taken.

It was used very extensively in 1861, with such general satisfaction that in offering it to the public now we deem it unnecessary to publish any of the many certificates which we have received, testifying in the very strongest terms in its favor. All that we can say is to guarantee that we will pledge ourselves to furnish an article **PURE AND UNADULTERATED**.

It has been given to little children suffering from weakness and weak lungs with most happy effect. One little girl in particular, with pains in her head, loss of appetite and daily wasting consumption, on whom all medical skill had been exhausted, has been entirely restored. She began with but a teaspoonful a day. Her appetite and strength rapidly increased, and she is now well.

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	Per Bottle.	Per Doz.
BOCK	\$1.00	\$9.00
WINE BITTERS	1.25	12.00
CLARET	1.00	9.00
PORT	1.25	12.00
ANGELICA	1.25	12.00
MUSCATEL	1.25	12.00
BRANDY	2.00	20.00

We will send any quantity, from one bottle and upward, to any part of New York City, Jersey City, or Brooklyn, **FREE OF CHARGE**.YOUR “SWEETHEART” would thank you for **THE PHRENOLOGICAL JOURNAL**. In it she would find the means by which to judge character correctly. Only \$2 a year.**WALTON CARPENTER****MEN'S FURNISHING GOODS, UNDERWEAR, HOSIERY, &c****FINE SHIRTS MADE TO ORDER.****No. 571 BROADWAY,**

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The Spencer Arms have been adopted by the United States Government for the Army, Navy, and Treasury Marine; by the State of Massachusetts, and by various Foreign Governments; and have received the highest commendations from officers and men of all grades, and in every service. The United States Army alone have received over 110,000 of them.

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GRAND, SQUARE AND UPRIGHT

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Have taken Thirty-five First Premiums, at the Principal Fairs held in this country within the last ten years, and also were awarded a First Prize Medal at the Great International Exhibition in London, 1862, in competition with 269 Pianos from all parts of the World.

That the great superiority of these instruments is now universally conceded is proven by the fact that Messrs. Steinways' "scale, improvements and peculiarities of construction" have been copied by the great majority of the manufacturers of both hemispheres (*as closely as could be done without infringement of patent rights*), and that their instruments are used by the most eminent pianists of Europe and America, who prefer them for their own public and private use whenever accessible.

Every Piano is constructed with their "Patent Arrangement" applied directly to the full Iron Frame.

**STEINWAY & SONS** direct special attention to their newly invented "UPRIGHT" Pianos, with their "Patent Resonator" and double Iron Frame, patented June 5, 1866. This invention consists in providing the instrument (in addition to the iron frame in front of the soundboard) with an iron brace frame in the rear of it, both frames being cast in one piece, thereby imparting a solidity of construction and capacity of standing in tune never before attained in that class of instruments.

The soundboard is supported between the two frames by an apparatus regulating its tension, so that the greatest possible degree of sound-producing capacity is obtained and regulated to the nicest desirable point.

The great volume and exquisite quality of tone, as well as elasticity and promptness of action, of these new Upright Pianos have elicited the unqualified admiration of the musical profession and all who have heard them.

**STEINWAY & SONS** confidently offer these beautiful instruments to the public and invite every lover of music to call and examine them.

Letter from the Celebrated European Pianist,  
**ALEXANDER DREYSCHOCK**,  
Court Pianist to the Emperor of Russia.

ST. PETERSBURG, Sept. 29, 1865.

MESSRS. STEINWAY & SONS:—I cannot refrain from expressing to you my undisguised admiration of your *in every respect matchless* Grand Pianos (which I used at my last concert in Brunswick), and I desire nothing in the world so much as to be able to perform upon one of these masterpieces here. Send me, therefore (care of Johann David Honsel & Co., in St. Petersburg), one of your Concert Grand Pianos—of course at most moderate artist's price—and inform me, without delay, in which manner I can best remit the purchase money to you.

Respectfully yours,  
**ALEXANDER DREYSCHOCK**.

Letter from WILLIE PAPE,  
Court Pianist to the Royal Family of England.

LONDON, England, Feb. 4, 1866.

MESSRS. STEINWAY & SONS:—I am much pleased to see the rapid advances you are making, and the numerous certificates you have so deservedly obtained. Should my humble opinion be of any weight, you may add that I give my *four hundredth* Piano-forte recital, at Cheltenham, on the 10th of this month, since my arrival here; that during my four annual visits to Paris, I have used the Grand Pianos of all the first European manufacturers, but have found **NO INSTRUMENT EQUAL TO THE ONE I PURCHASED OF YOU**. In fact, I consider one of your finest Square Pianos equal to any one of the Grand Pianos manufactured here.

Truly yours,  
**WILLIE B. PAPE**,  
Pianist to H. R. H. the Princess of Wales.

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Having used SWIETENIA regularly during the last two months, I have every reason to be satisfied with it, it being a delightful and most efficacious dentifrice."

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Very respectfully,

(Signed) WM. FAXON, Assistant Secretary."

Extract.

"NAVAL ACADEMY, ANNAPOLIS, MD., 7th November, 1866.

"MESSRS. BENT & BUSH.—Your cap is just received and is all that can be desired. It is very much liked by all the officers."

Very respectfully yours,

(Signed) DAVID D. PORTER, Vice-Admiral."

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